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HOW TO USE THIS INDEX

This Index, used with the Red Indexes for 1951–60, 1961–70, 1971–80, 1981–90 and 1991–99, will enable you to find any reported case determined since 1951 according to its title or subject matter. The appropriate headings and subheadings of subject matter under which to look will be found in the Red Indexes. To find a recent case you have then only to look under the same heading and subheadings in this Index and if necessary in subsequent parts of W.L.R.

Further, this Index contains also, *after* the Index of Subject Matter, similar cumulative indexes of Cases, Statutes, Statutory Instruments and Overseas and European Community Enactments Judicially Considered which will likewise be brought up to date weekly in W.L.R.

Thus if in any report in [2000] W.L.R. a judge has said anything which might be argued to affect the weight or effect of any previous decision, or the meaning of any enactment, a reference will be found in the appropriate table to the previous decision or enactment. **The Table of Cases Judicially Considered is not limited to decisions mentioned in the headnote of the reports.**

This Index includes cases reported in Industrial Cases Reports, All England Law Reports, Criminal Appeal Reports, Lloyd's Law Reports, Local Government Reports, Road Traffic Reports, Tax Cases and Tax Case Leaflets.

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SUBJECT MATTER

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The Turiddu, C.A. [2000] I.C.R. 354

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DEVOLUTION

Scotland

"Devolution issue"

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DISCRIMINATION

Damages

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Employee victimised by employers following race discrimination complaint—Whether £22,000 for injury to feelings excessive—Employee undertaking retraining on failure to find another job—Whether failure to mitigate loss—Whether aggravated damages appropriate

Tchoula v. ICTS (U.K.) Ltd., E.A.T. [2000] I.C.R. 1191

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Disability

Disabled person

Welfare services

Local authority charging individuals receiving both income support and disability benefits for provision of care services—Individuals receiving only income support not charged—Whether discriminatory—Disability Discrimination Act 1995, s. 20(1)(*a*)

Reg. v. Powys County Council, *Ex parte* **Hambidge (No. 2),** C.A. [2000] L.G.R. 564

Employment

Contract worker

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Company with less than 20 employees—Whether employees of associated companies to be included—Disability Discrimination Act 1995, s. 7(1)

Hardie v. C.D. Northern Ltd., E.A.T. [2000] I.C.R. 207

Employee employed by parent company of large group of companies—Parent company having fewer than 20 employees—Whether tribunal having jurisdiction to hear complaint—Disability Discrimination Act 1995, s. 7(1) **Colt Group Ltd. v. Couchman,** E.A.T. [2000] I.C.R. 327

Less favourable treatment

Employee suffering from illness diagnosed after dismissal—Employer dismissing because of employee's absences—Whether discrimination for a reason relating to disability—Tribunal finding discrimination not justified and dismissal unfair—Need to consider reasonableness of dismissal—Disability Discrimination Act 1995 Act, ss. 5(1)(3)(5), 6(1)—Employment Rights Act 1996, s. 98(4) **H.J. Heinz Co. Ltd. v. Kenrick,** E.A.T. [2000] I.C.R. 491

Employment

Aiding unlawful acts

Student union executives expelled by university—Students' union having no choice but to terminate employment contracts—Whether university knowingly aiding dismissals—Race Relations Act 1976, s. 33(1) **Anyanwu v. South Bank Students' Union,** C.A. [2000] I.C.R. 221

Authorisation or qualification

Applicant de-selected as Labour Party councillor—Whether Labour Party "body" able to confer "authorisation" needed for "engagement in particular profession"—Race Relations Act 1976, ss. 12, 78(1) **Sawyer v. Ahsan,** C.A. [2000] I.C.R. 1

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Justification of treatment

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Injured employee away from work for long period—Employer failing to warn or check current medical position before dismissing for inability—Whether interests of employee as well as employer relevant to justification—Disability Discrimination Act 1995, s. 5(1)(3)(5) **Baynton v. Saurus General Engineers Ltd.,** E.A.T. [2000] I.C.R. 375

Race

Aiding unlawful acts

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Employment

Complaint

Complainant dying after presenting complaint—Whether personal representative entitled to pursue complaint—Law Reform (Miscellaneous Provisions) Act 1934, s. 1 **Lewisham and Guys Mental Health N.H.S. Trust v. Andrews (decd.),** C.A. [2000] I.C.R. 707

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Child in care

Local authority deciding not to allow black child to holiday with white family—Social worker with responsibility for child objecting to decision—Social worker subsequently subjected to disciplinary proceedings—Complaint of victimisation on ground of race because of objection to decision—Whether local authority providing "goods, facilities or services" to child—Race Relations Act 1976, ss. 2(1)(*d*), 20(1), 23(2)—Children Act 1989, ss. 22, 23(1) **Conwell v. Newham London Borough Council,** E.A.T. [2000] 1 W.L.R. 1; [2000] I.C.R. 42

Sex

Education

Vocational course

Student absent due to pregnancy-related illness—University withdrawing student from curse—Student seeking judicial review and bringing county court action for sex discrimination—Proper forum for sex discrimination claim—Whether analogous to dismissal from employment—Sex Discrimination Act 1975, ss. 22, 66 (as amended by Race Relations Act 1976, s. 79(4), Sch. 4, para. 5) **Reg. v. South Bank University,** *Ex parte* **Coggeran,** C.A. [2000] I.C.R. 1342

Employment

Armed forces

Refusal to employ woman as chef in Royal Marines—Whether contrary to Community principle of equal treatment—Whether exclusion of women from service in Royal Marines justifiable—Sex Discrimination Act 1975, s. 85(4) (as substituted by Sex Discrimination Act 1975 (Application to Armed Forces etc.) Regulations 1994)—Council Directive (76/207/E.E.C.), art. 2(2) **Sirdar v. Army Board (Case C-273/97),** E.C.J. [2000] I.C.R. 130

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Lesbian teacher complaining of pupils' gender-specific abuse—No evidence hypothetical homosexual male would have been treated differently—Whether sex discrimination—Sex Discrimination Act 1975, ss. 1(1), 6(2) **Pearce v. Governing Body of Mayfield Secondary School,** E.A.T. [2000] I.C.R. 920

Male colleague's sexually offensive gesture blamed by line manager on applicant's poor relations with staff—Applicant complaining to employer—Reports critical of employee ignoring complaint—Whether failure to deal with complaint adequately sex discrimination—Sex Discrimination Act 1975, ss. 1(1)(*a*), 6(2)(*b*) **Coyne v. Home Office,** C.A. [2000] I.C.R. 1443

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Sex—*continued*

Employment—continued

Requirement or condition

Qualifying period of two years' employment for unfair dismissal claim—Whether discriminatory—Whether objectively justifiable—Employment Protection (Consolidation) Act 1978, s. 64(1)(*a*) (as amended by Unfair Dismissal (Variation of Qualifying Period) Order 1985 and Trade Union and Labour Relations (Consolidation) Act 1992, Sch. 1)—E.C. Treaty, art. 119

Reg. v. Secretary of State for Employment, *Ex parte* Seymour-Smith (No. 2), H.L.(E.) [2000] 1 W.L.R. 435; [2000] I.C.R. 244

Equal pay

Compensation

Award limited by legislation to two years' arrears—Whether application of two-year rule precluded by Community law—Equal Pay Act 1970, s. 2(5)—E.C. Treaty, art. 119—Council Directive (75/117/E.E.C.), art. 2

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Equality clause

Applicants' work of equal value to male comparators—Tribunal finding applicants entitled to equivalent annual salary and same annual increments as comparators—Whether applicants entitled to enter comparators' pay scale at level commensurate with their own years of service—Equal Pay Act 1970, s. 1(2)(*c*) (as amended by Equal Pay (Amendment) Regulations 1983, reg. 2(1))

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Maternity leave

Earnings-related maternity pay excluding pay rise awarded during maternity leave but after statutory period on which pay based—Whether contrary to Community equal pay principle—Whether domestic legislation providing effective remedy—Equal Pay Act 1970, s. 1(1)(2) (as amended by Sex Discrimination Act 1975, s. 8)—Employment Rights Act 1996, s. 13—Statutory Maternity Pay (General) Regulations 1986, reg. 21(7) (as inserted by Statutory Maternity Pay (General) Regulations 1996, reg. 2)—E.C. Treaty, art. 141 **Alabaster v. Woolwich Plc.,** E.A.T. [2000] I.C.R. 1037

Whether Christmas bonus as incentive for future work "pay"—Whether non-payment of bonus to woman on parenting leave contrary to Community law—E.C. Treaty, art. 119—Council Directive (92/85/E.E.C.), art. 11(2)—Council Directive (96/34/E.C.), Annex, clause 2(6) **Lewen v. Denda (Case C-333/97),** E.C.J. [2000] I.C.R. 648

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Part-time employees' retrospective claims time-barred and restricted by national legislation—Whether legislation compatible with Community law—Principles of effectiveness and equivalence—Equal Pay Act 1970, s. 2(4)(5) (as amended by Sex Discrimination Act 1975, s. 8(6), Sch. 1, Pt. I, para. 2 and modified by Occupational Pension Schemes (Equal Access to Membership) Regulations 1976, reg. 12(1))—E.C. Treaty, art. 119 **Preston v. Wolverhampton Healthcare N.H.S. Trust (Case C-78/98),** E.C.J. [2000] I.C.R. 961

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Graduate psychologists and graduate doctors performing same psychotherapist work—Whether performing "same work" in view of different training and qualifications—E.C. Treaty, art. 119—Council Directive (75/117/E.E.C.), art. 1

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Employee working in different departments during employment—Claim for equality of pay with comparators in department employee not working in during last six months of employment—Whether employee "employed in the employment" during final six months—Equal Pay Act 1970, s. 2(4) (as amended by Sex Discrimination Act 1975, s. 8(6), Sch. 1, Pt. 1) **Young v. National Power Plc.,** E.A.T. [2000] I.C.R. 78

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Instructors in special schools paid less than qualified teachers doing like work—No sex discrimination—Whether equality clause operating—Whether employer obliged to establish good reason for disparity in pay—Equal Pay Act 1970, s. 1(3) (as substituted by Equal Pay (Amendment) Regulations 1983, reg. 2(2))

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Sex—*continued*

Equal pay—*continued*

Work of equal value

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Race

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Prescription

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ECCLESIASTICAL LAW

Faculty

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Municipal cemetery

Disinterment—Deceased of Jewish faith—Burial in 1981 in municipal cemetery to enable wife to visit grave—Wife moving to Australia—Deceased's relatives wishing to reinter body in Jewish cemetery—Whether freedom of religious practice relevant consideration—Whether faculty for exhumation to be granted—Convention for the Protection of Human Rights and Fundamental Freedoms (1953), art. 9 *In re* **Durrington Cemetery,** Hill Ch. [2000] 3 W.L.R. 1322

EDUCATION

Local education authority

Duty to make special educational provision

Child with statement of special educational needs—Parent's preference for school outside local education authority's area—Statutory right to override parental choice if prejudicial to "efficient use of resources"—Resources to be taken into account—Whether including resources of authority maintaining preferred school—Education Act 1996, s. 324, Sch. 27, para. 3(3) **B. v. Harrow London Borough Council,** H.L.(E.) [2000] 1 W.L.R. 223

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Parental preference

Duty to comply—Authority's school admissions policy giving first priority to children within school's catchment area—Catchment area partially coterminous with borough boundary—Whether discrimination against children outside borough—Education Act 1996 s. 411 **Reg. v. Rotherham Metropolitan Borough Council,** *Ex parte* **T.,** C.A. [2000] L.G.R. 338

EDUCATION —*continued*

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Applicant with special educational needs placed in non-maintained special school—School permanently excluding applicant for disciplinary problems—Whether decision amenable to judicial review **Reg. v. Muntham House School,** *Ex parte* R., Richards J. [2000] L.G.R. 255

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Implied licence to enter local education authority's school—Revocation of licence on grounds of abusive and disruptive conduct—Whether relationship of parent and school governed by public law—Whether procedure for revocation of licence required to be fair—Whether lack of fairness constituting good defence to private law claim against parent **Wandsworth London Borough Council v. A.,** C.A. [2000] 1 W.L.R. 1246

University

Higher education corporation

Statute creating new university—No provision for supervisory jurisdiction of visitor—Dispute over marking of examination paper—Student bringing action for breach of contract—Whether justiciable **Clark v. University of Lincolnshire and Humberside,** C.A. [2000] 1 W.L.R. 1988

EMPLOYMENT

Contract of employment

Agency worker

Engineer supplied by agency working on temporary basis for building contractors—Whether employed or self-employed—Appointment by union as health and safety representative—Whether entitled to protection from dismissal as representative—Employment Rights Act 1996, s. 100(1)(*b*)—Health and Safety at Work etc. Act 1974, s. 53(1)—Safety Representatives and Safety Committees Regulations 1977, regs. 2(1), 3(1) **Costain Building & Civil Engineering Ltd. v. Smith,** E.A.T. [2000] I.C.R. 215

Company director

Insolvency of company—Director and controlling shareholder applying for redundancy payment—Whether "employee"—Employment Rights Act 1996, ss. 166, 230(1) **Smith v. Secretary of State for Trade and Industry,** E.A.T. [2000] I.C.R. 69

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Employee undertaking work for third party in breach of contract—Whether obliged to inform employer—Whether employer entitled to restitutionary damages—Whether employee owing fiduciary duty to employer—Employee arranging for employees under his supervision to undertake work for third parties for remuneration—Whether conflict of duty and interest **University of Nottingham v. Fishel,** Elias J. [2000] I.C.R. 1462

Implied terms

Employees entering into agreement settling all claims arising from employment—Employer subsequently reputed to have acted dishonestly—Employees claiming damages for breach of implied term of trust and confidence and misrepresentation—Whether claims barred by agreement **Bank of Credit and Commerce International S.A. v. Ali,** C.A. [2000] I.C.R. 1410

Employer in liquidation reputed to have acted fraudulently—Redundant employees proving in liquidation for compensation for loss of employment prospects—Whether employer's conduct amounting to breach of implied obligation of good faith—Whether employees suffering financial loss—Whether entitled to stigma damages **Bank of Credit and Commerce International S.A. v. Ali (No. 2),** Lightman J. [2000] I.C.R. 1354

Office holder

Employee promoted to rent officer by local authority—Whether employee—Whether employed by local authority or Secretary of State—Rent Act 1977, s. 63(1)(2)(3)—Employment Rights Act 1996, ss. 191(3), 230(1) (2) **Johnson v. Ryan,** E.A.T. [2000] I.C.R. 236

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Contract of employment—*continued*

Pupil barrister

Arrangement between chambers and pupil for unfunded pupillage—Whether contractual—Whether contract of apprenticeship—Whether pupil "worker" entitled to national minimum wage—National Minimum Wage Act 1998, ss. 1(2)(*a*), 54(2)(3) **Edmonds v. Lawson,** C.A. [2000] Q.B. 501; [2000] 2 W.L.R. 1091; [2000] I.C.R. 567

Retirement

Contract allowing employees to continue beyond minimum retirement age—Retention subject to employer's discretion to end period of retention at any time—Contract prohibiting discrimination on ground of age—Employer ending retention of all retained employees to effect redundancies—Whether contrary to provision prohibiting age discrimination **Taylor v. Secretary of State for Scotland,** H.L.(Sc.) [2000] I.C.R. 595

Termination

Claim for breach of contract brought before effective date of termination—Whether employment tribunal having jurisdiction—Employment Tribunals Extension of Jurisdiction (England and Wales) Order 1994, arts. 3, 7 **Capek v. Lincolnshire County Council,** C.A. [2000] I.C.R. 878

Contract determinable on three months' notice providing for dismissal "with immediate effect" on failure to meet targets—Whether sufficient to exclude contractual right to payment in lieu of notice **Skilton v. T. & K. Home Improvements Ltd.,** C.A. [2000] I.C.R. 1162

Contract terminable on six months' notice giving employer option to make payment in lieu—Employee summarily dismissed without cause or payment in lieu—Whether earnings during notice period to be deducted from award **Cerberus Software Ltd. v. Rowley,** E.A.T. [2000] I.C.R. 35

Termination, effective date

Employee suspended on full pay pending internal appeal against summary dismissal—Dismissal of internal appeal—Effective date of termination of employment—Employment Rights Act 1996, s. 111(2) **Drage v. Governing Body of Greenford High School,** C.A. [2000] I.C.R. 899

Employer's insolvency

Liability of guarantee institution

Company incorporated in one member state—Branch established in another—Claims by employees employed at branch on liquidation of company in state of incorporation—Whether guarantee institution of state of incorporation or state branch established responsible for claims—Council Directive (80/987/E.E.C.), art. 3 **Everson v. Secretary of State for Trade and Industry (Case C-198/98),** E.C.J. [2000] I.C.R. 525

Maternity rights

Alternative employment

Cabin crew transferring to ground duties with loss of flying allowances on pregnancy—Whether less favourable terms—Whether any separate right to equal pay with male cabin crew seconded to ground duties—Employment Rights Act 1996, s. 67—E.C. Treaty, art. 119 **British Airways (European Operation) Gatwick Ltd. v. Moore,** E.A.T. [2000] I.C.R. 678

Police

Pension

Member of police force retiring on pension after suffering injury—Whether able to perform "ordinary duties of . . . member of the force" if unable to perform operational duties—Whether notice to rejoin force valid—Whether applicant entitled to remain on pension—Police Pensions Regulations 1987, regs. A12(2), K1(2) **Reg. v. Sussex Police Authority,** *Ex parte* **Stewart,** C.A. [2000] I.C.R. 1122

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Continuity of employment

Employees "dismissed" by receivers prior to transfer in 1988—Payments in respect of redundancy made by Secretary of State—Employees continuing to work for transferee—Subsequent dismissal on insolvency of transferee—Applications for redundancy payments—Whether continuity of employment broken by payments in 1988—Employment Rights Act 1996, ss. 167, 214(2)(*a*)(5)(*c*) **Lassman v. Secretary of State for Trade and Industry,** C.A. [2000] I.C.R. 1109

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Redundancy—*continued*

Magistrates' courts

Administrative staff spending part of working day performing duties delegated by justices' clerk—Whether "employed in assisting" justices' clerk in performance of duties—Justices of the Peace Act 1949 (Compensation) Regulations 1978, reg. 3(1)(*b*) (as amended by Justices of the Peace Act 1949 (Compensation) (Variation) Regulations 1995, reg. 2)
Berkshire and Oxfordshire Magistrates' Courts Committee v. Gannon, Carnwath J. [2000] I.C.R. 1003

Payment, calculation of

Agricultural worker's contractual rate of pay "in accordance with Wages . . . Order less board and lodging"—Whether "week's pay" minimum rate under Order without deduction of board and lodging—Agricultural Wages Act 1948, s. 7(1)—Employment Rights Act 1996, s. 221(2)—Agricultural Wages Order 1997 (Number 1), s. 13
W.A. Armstrong & Sons Ltd. v. Borrill, E.A.T. [2000] I.C.R. 367

Trade union consultation

Employees serving notices terminating employees' contracts and offering re-engagement on new terms—Whether employers "proposing to dismiss as redundant"—Trade Union and Labour Relations (Consolidation) Act 1992, ss. 188(1) (as sustituted by Collective Redundancies and Transfers of Undertaking Regulations 1995, reg. 3), 195 (as substituted by Trade Union Reform and Employment Rights Act 1993, s. 34(5))
GMB v. Man Truck & Bus U.K. Ltd., E.A.T. [2000] I.C.R. 1101

Transfer of undertaking

Effect of transfer

Proposed transfer involving detrimental change in employee's conditions—Employee objecting to transfer of his employment—Whether transferor liable for claim of wrongful dismissal—Transfer of Undertakings (Protection of Employment) Regulations 1981, reg. 5 (as amended by Trade Union Reform and Employment Rights Act 1993, s. 33)—Council Directive (77/187/E.E.C.), art. 4(2) **Humphreys v. University of Oxford,** C.A. [2000] I.C.R. 405

Protection of employees

Receivers dismissing employees prior to transfer—Tribunal finding transfer principal reason for dismissals but also economic, technical or organisational reason for dismissals—Whether dismissals automatically unfair—Whether transferee liable for protective award for receivers' failure to consult—Trade Union and Labour Relations (Consolidation) Act 1992, s. 188 (as amended by Collective Redundancies and Transfer of Undertakings Regulations 1995, reg. 3)—Transfer of Undertakings (Protection of Employment) Regulations 1981, regs. 5, 8, 10 (as so amended) **Kerry Foods Ltd. v. Creber,** E.A.T. [2000] I.C.R. 556

Transferor in administration—Administrators dismissing employees and transferring business through subsidiary to ultimate transferee—Whether liability for employees passing to transferee—Transfer of Undertakings (Protection of Employment) Regulations 1981, regs. 3(4), (as amended by Trade Union and Employment Rights Act 1993, s. 33(3)), 4 (as amended by Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 1987), 5—Council Directive (77/187/E.E.C.), art. 3
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Unfair dismissal

Contract for hospital services transferred to new company—Hospital requiring company to reduce number of employees working on contract—Whether transfer reason for subsequent dismissal—Whether reason economic or organisational—Whether dismissal unfair—Transfer of Undertakings (Protection of Employment) Regulations 1981, reg. 8(1)(2)
Whitehouse v. Chas A. Blatchford & Sons Ltd., C.A. [2000] I.C.R. 542

Whether relevant transfer

Contract for management of leisure centre awarded to new provider—Whether entity—Minority of employees transferring to new provider—All senior employees remaining in employ of previous provider—Whether transfer of undertaking—Correct approach—Transfer of Undertakings (Protection of Employment) Regulation 1981, reg. 3(1)
Whitewater Leisure Management Ltd. v. Barnes, E.A.T. [2000] I.C.R. 1049

Hospital cleaning and catering services moving to different hospital—Employees not transferring—Whether transfer of undertaking—Transfer of Undertakings (Protection of Employment) Regulations 1981, reg. 3(1) **RCO Support Services Ltd. v. Unison,** E.A.T. [2000] I.C.R. 1502

Teacher employed by local authority at middle school—Middle and first schools replaced by primary school—Whether teacher "employee" of transferor of undertaking—Whether "employment relationship" with school governing body—Transfer of Undertakings (Protection of Employment) Regulations 1981, regs. 2(1), 3(1), 8—Council Directive (77/187/E.E.C.), arts, 1(1), 3(1)
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EMPLOYMENT—*continued*

Transfer of undertaking—*continued*

Whether relevant transfer—*continued*

Transfer between subsidiary companies in same corporate group—Criteria for determining whether relevant transfer—Council Directive (77/187/E.E.C.), art. 1(1)

Allen v. Amalgamated Construction Co. Ltd. (Case C-234/98), E.C.J. [2000] I.C.R. 436

Unfair dismissal

Complaint

Time limit

Dismissed employee offered re-employment—Offer withdrawn after expiry of time limit—Complaint of unfair dismissal presented 10 days later—Whether "reasonably practicable" to present complaint in time—Employment Rights Act 1996, s. 111(2)

London Underground Ltd. v. Noel, C.A. [2000] I.C.R. 109

Employee resigning on promise of reference—Failure to obtain new employment six months later because of unsatisfactory reference—Whether "reasonably practicable" to present complaint within 3-month time limit—Whether veracity of employee's account to be determined on preliminary issue of jurisdiction—Employment Rights Act 1996, s. 111(2)

Post Office v. Sanhotra, E.A.T. [2000] I.C.R. 866

Reasonableness of dismissal

Misconduct

Dismissal for reason relating to employee's conduct—Employer's investigation into alleged misconduct—Whether permissible for tribunal to substitute its own view—Whether band of reasonable responses appropriate test of fairness—Employment Rights Act 1996 (c. 18), s. 98(1)(2)(4)

Foley v. Post Office, C.A. [2000] I.C.R. 1283

Fighting in workplace—Long-standing employee with unblemished record—Whether band of reasonable responses appropriate test of fairness—Whether necessary for tribunal to refer to Code of Practice—Employment Rights Act 1996, s. 98(1)(2)(4)—Acas Code of Practice 1: Disciplinary Practice and Procedures in Employment (1977), para. 10(h)

Beedell v. West Ferry Printers Ltd., E.A.T. [2000] I.C.R. 1263

Re-engagment

Obligation to inquire as to

Employee dismissed for redundancy—Employment tribunal finding dismissal unfair but inevitable after further 2 weeks—Tribunal awarding compensation without inquiring whether employee wishing order for reinstatement—Whether failure to inquire irrelevant—Whether likelihood of dismissal to be evaluated on balance of probabilities or percentage chance—Employment Rights Act 1996, s. 112(2)

Constantine v. McGregor Cory Ltd., E.A.T. [2000] I.C.R. 938

Wages

Worker see **Contract of employment:** *Pupil barrister*

Working time provisions

Local authority employer

No contractual entitlement to paid annual leave—Failure to implement Community law to provide entitlement—Whether Community law provision having direct effect—Council Directive (93/104/E.C.), arts. 2, 7

Gibson v. East Riding of Yorkshire Council, C.A. [2000] I.C.R. 890

Wrongful dismissal

Damages see **Contract of employment:** *Termination*

ESTOPPEL

Conduct, by

Proprietary estoppel

Expectation of inheritance—Plaintiff working for defendant—Defendant indicating intention to leave bulk of estate to plaintiff—Whether representations amounting to irrevocable promise by defendant as to how estate to be disposed of—Whether plaintiff entitled to equitable relief

Gillett v. Holt, C.A. [2000] 3 W.L.R. 815

EUROPEAN COMMUNITY

Breach of Community law

Damages

Regulations precluding grants to Swedish students for vocational course fees—Refusal of grants in breach of Community prohibition of discrimination on ground of nationality—Regulations subsequently changed allowing payment of grants—Whether students entitled to damages for injury to feelings during period grants unavailable—Race Relations Act 1976, s. 41(1)—E.C. Treaty, art. 6

Nabadda v. Westminster City Council, C.A. [2000] I.C.R. 951

EUROPEAN COMMUNITY—*continued*

Community trade mark

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Search warrant

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Right of deduction excluded by member state in case of VAT on purchase of cars—Whether exclusion permissible even when cars essential tools of business or incapable of private use by taxpayer—Whether power of exclusion lapsing after period referred to in Community Directive—Council Directive (67/228/E.E.C.), art. 11(4)—Council Directive (77/388/E.E.C.), art. 17(6) **Royscot Leasing Ltd. v. Customs and Excise Comrs. (Case C-305/97),** E.C.J. [2000] 1 W.L.R. 1151

ROAD TRAFFIC

Accident

Duty to stop

Motorist leaving parked car briefly with hazard warning lights on—Car rolling downhill and causing damage to property—Motorist securing car and making off as police approached—Whether motorist "the driver" at material time—Whether guilty of failing to stop after accident or failing to report accident—Road Traffic Act 1988, s. 170 (as amended by Road Traffic Act 1991, s. 48, Sch. 4, para. 72) **Cawthorn v. Director of Public Prosecutions,** D.C. [2000] R.T.R. 45

Blood specimen

Analysis evidence

Positive blood alcohol test taken minutes before negative pre-release breath test—Prosecution relying on blood analysis test results—Defendant contending results incompatible with breath test—Whether expert evidence as to accuracy of breath test and defendant's rate of alcohol metabolism to be admitted—Road Traffic Act 1988, s. 5(1) **Parish v. Director of Public Prosecutions,** D.C. [2000] R.T.R. 143

Disputed analysis

Motorist required to provide blood specimen on failure of breath testing machine on final calibration—Blood leaking from cracked specimen bottle –Blood transferred to new bottle—Motorist raising issue of contamination—Whether results of breath test admissible to show reliability of blood analysis—Whether expert evidence required—Road Traffic Act 1988, s. 7(3) **Slasor v. Director of Public Prosecutions,** D.C. [1999] R.T.R. 432

Requirement

Breath testing device not working—Custody officer informing motorist—Arresting officer then making requirement for specimen of blood—Whether officer making requirement required also to tell motorist of reason for requiring specimen other than breath—Road Traffic Act 1988, s. 7(3)(6) **Bobin v. Director of Public Prosecutions,** D.C. [1999] R.T.R. 375

Discrepancy in Intoximeter readings causing constable to require blood specimen—Calibration checks indicating device reliable—Whether constable having reasonable cause to believe indication of breath-alcohol level unreliable—Whether blood specimen evidence admissible—Road Traffic Act 1988, s. 7(3)(*bb*) **Director of Public Prosecutions v. Smith,** D.C. [2000] R.T.R. 341

Lion Intoximeter reading below 50 microgrammes of alcohol per 100 millilitres of breath—Defendant electing to provide blood specimen—Blood-alcohol level above prescribed limit—Subsequent doubt as to reliability of breach test result—Whether necessary to prove Intoximeter working accurately when defendant put to election—Road Traffic Act 1988, ss. 5(1)(*a*), 7(3)(4), 8(2) **Branagan v. Director of Public Posecutions,** D.C. [2000] R.T.R. 235

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Breath specimen for analysis

Failure to provide specimen

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Failure to provide specimen—*continued*

Motorist having provided one breath specimen refusing to provide second specimen but offering to give blood specimen—Blood specimen taken but not used—Whether failure without reasonable excuse to provide breath specimen—Road Traffic Act 1988, s. 7(1)(3)(*a*)(6) **May v. Director of Public Prosecutions,** D.C. [2000] R.T.R. 7

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Director of Public Prosecutions v. Noe, D.C. [2000] R.T.R. 351

Printout

No evidence given as to reliability of Intoximeter device—No submission of no case to answer—Defendant inviting justices to dismiss case because reliability not proved—Printout handed to court after conclusion of evidence—Justices relying on printout to find device properly calibrated—Whether permissible **Leeson v. Director of Public Prosecutions,** D.C. [2000] R.T.R. 385

Reliability of device

High reading indicating breath-alcohol level four times statutory limit—Defendant's breath smelling of alcohol—No other observable signs of intoxication—Defendant claiming consumption incompatible with reading—Whether expert evidence required to rebut presumption of reliability of reading—Approach to be followed—Road Traffic Offenders Act 1988, s. 15(2) (as substituted by Road Traffic Act 1991, s. 48, Sch. 4, para. 87)—Road Traffic Act 1988, s. 5(1) **Director of Public Prosecutions v. Spurrier,** D.C. [2000] R.T.R. 60

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Causing death by

Driver causing accident by misjudgment in overtaking—Many mitigating and no aggravating features—Whether custodial sentence nevertheless appropriate
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Driving while disqualified

Motorist disqualified in absence—Driving after receiving notification of disqualification from D.V.L.A.—Subsequent statutory declaration by motorist stating unaware of disqualification hearing—Whether disqualification void ab inito or from date of declaration—Magistrates' Courts Act 1980, s. 14(1) **Singh (Jaspal) v. Director of Public Prosecutions,** D.C. [1999] R.T.R. 424

"Special reasons"

Defendant attempting to take car to get home after drinking -Car pushed six feet by co-defendant Defendant too drunk to start engine—Whether shortness of distance driven amounting to "special reasons" for not ordering disqualification—Road Traffic Act 1988, s. 5(1)(*a*)—Road Traffic Offenders Act 1988, s. 34(1)
Director of Public Prosecutions v. Humphries, D.C. [2000] R.T.R. 52

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Duty to give information

Police suspecting defendant of having driven with excess alcohol—Defendant required to say who had been driving her car—Whether use of answer at trial incompatible with defendant's right not to incriminate herself—Whether procurator fiscal entitled to rely on evidence of compelled admission –Road Traffic Act 1988, s. 172(2)—Convention for the Protection of Human Rights and Fundamental Freedoms (1953), art. 6(1)
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Operator's licence

Contractor providing drivers for delivery company's vehicles—Contractor selecting routes for drivers—Contractor responsible for drivers' pay, holidays and discipline—Whether drivers servants or agents of contractor—Whether contractor "using" vehicles –Whether requiring operator's licence—Goods Vehicles (Licensing of Operators) Act 1995, ss. 2, 58(2)
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Licence

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Large goods vehicle driver's licence—Penalty points exceeding prescribed limit—Revocation of licence by Secretary of State—Appeal to magistrates' court—Whether justices having absolute discretion to determine appeal—Road Traffic Act 1988, ss. 115(1)(*a*), 119—Motor Vehicles (Driving Licences) Regulations 1996, reg. 52(1)(*a*)
Secretary of State for the Environment, Transport and the Regions v. Elsy, Maurice Kay J. [2000] R.T.R. 29

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Condition involving danger of injury

Tractor driven on rural road with front arms lowered—Whether condition of vehicle its accessories or equipment involving danger of injury to any person—Road Traffic Act 1988, s. 40A(*a*) **Director of Public Prosecutions v. Potts,** D.C. [2000] R.T.R. 1

Testing on road

Stationary vehicle on Trafalgar Square—Police officer requesting keys for purpose of testing by authorised examiner—Defendant refusing to hand over keys, resisting arrest and assaulting police officer—Whether police officer's request in execution of duty—Whether Trafalgar Square "road"—Road Traffic Act 1988 (as amended by Road Traffic Act 1991, s. 10, Sch. 4, para. 78(2)), ss. 67, 192(1)—Police Act 1996, s. 89
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"Use"

Goods vehicle driven on owner's business—Weight restriction exceeded by vehicle—Driver not employee of owner—Whether owner using vehicle—Road Traffic Regulation Act 1984, s. 8(1)—Greater London (Restriction of Goods Vehicles) Traffic Order 1985, art. 3 (as substituted by Greater London (Restriction of Goods Vehicles) Traffic Order (Amendment No. 5) Order 1997, art. 3)
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Sale of soya bean meal pellets—Contract providing for sampling on delivery—Buyers sending samples for analysis—Analyst's certificate containing clerical error—Corrected certificate issued—Whether original certificate determinative—Whether sellers entitled to rely on corrected certificate—Construction of sampling rules—GAFTA form 124, cl. 4.6
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Breach of conditions

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Prohibition clause

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Cargo, damage to

Bills issued in respect of carriage of cargo—Bills signed as agent for carrier—Whether shipowners parties to bills of lading—Whether bills in terms entered into with shipowners' authority—Liability of shipowners in tort in absence of contract—Whether shipowners entitled to rely on Himalaya clause—Whether claimants having cause of action in tort in respect of damage to cargo—Passing of title—Extent to which bad stowage causing damage sustained after title passed **Homburg Houtimport B.V. v. Agrosin Private Ltd.,** Colman J. [2000] 1 Lloyd's Rep. 85

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Time chartered vessel sub-chartered for voyage from Constanza to Morocco—Shipowners alleging vessel not discharged within time permitted by voyage charter—Whether terms of charter incorporated into bill of lading contract—Whether implied term in bill of lading contract that shippers responsible for discharge within reasonable time—Whether shippers liable for delay in discharge of vessel **Tradigrain S.A. v. King Diamond Shipping S.A.,** C.A. [2000] 1 Lloyd's Rep. 319

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Time chartered vessel sub-chartered for voyage from Constanza to Morocco—Time charterers accepting advance payment of sub-charter freight by deduction—Whether within authority delegated by shipowners—Default in payment of hire—Whether shipowners entitled to claim freight from shippers under bill of lading contract **Tradigrain S.A. v. King Diamond Shipping S.A.,** C.A. [2000] 2 Lloyd's Rep. 319

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Bill of lading—*continued*

Identity of shipper

Carriage of lead concentrate in bulk—Shippers named in bill of lading branch company of third party—Vessel taking on list and sinking—Consignees of other cargoes bringing proceedings against shipowners—Shipowners issuing proceedings against third party—Whether description of shipper in bill of lading misleading—Whether third party true contracting party—Whether third party estopped from denying they were shippers under bill of lading **Boliden Ore and Metals Co. v. Dawn Maritime Corpn.,** Timothy Walker J. [2000] 1 Lloyd's Rep. 237

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Carriage of soya beans in bulk from Argentina to Europe—Failure of main engine—Defendants declaring voyage frustrated—Cargo transhipped—Obligations of defendants as to seaworthiness—Whether vessel seaworthy—Whether defendants exercising due diligence—Whether defendants in breach for wrongfully abandoning voyage **Eridania S.p.A. v. Rudolf A. Oetker,** C.A. [2000] 2 Lloyd's Rep. 191

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Carriage of cargo of green bananas from Ecuador to Libya and Russia—Boatswain dying and vessel turning towards Cartagenta to disembark body—Vessel grounding—Cargo sold to third claimant c.i.f. Genoa at much reduced price—Vessel's generators failing—Cargo arriving in Genoa damaged—Liability for and cause of grounding—Whether vessel unseaworthy—Whether failure properly to man and equip vessel—Whether failure to look after cargo properly—Whether owners failing to exercise due diligence—Whether charterer entitled to damages **Rey Banano del Pacifico C.A. v. Transportes Navieros Ecuatorianos,** Langley J. [2000] 2 Lloyd's Rep. 15

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Charterers ordering master to take shortest route to destination port—Master taking longer route to avoid heavy weather—Whether route to be determined by owners or charterers—Whether routeing instructions orders as to navigation or employment—Whether charterers entitled to deduct hire for additional days at sea and cost of extra bunkers—New York Produce Exchange form, cl. 8 **Whistler International Ltd. v. Kawasaki Kisen Kaisha Ltd.,** H.L.(E.) [2000] 3 W.L.R. 1954

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SHIPPING—*continued*

General average

Contribution

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Father creating accumulation and maintenance trusts for children—Trustees' power to provide for children's maintenance and education—Settlement prohibiting trustees from exercising powers so as to entitle father to benefit—Consent order on divorce requiring father to pay for children's maintenance and school fees—Whether trustees prohibited from exercising power if effect to relieve father from obligations under consent order

Fuller v. Evans, Lightman J. [2000] 1 All E.R. 636

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Contaminated land—Trustee's application for directions—Whether trustee having lien over trust fund for potential liabilities in respect of land held by testator—Environmental Protection Act 1990, Pt. IIA

X v. A, Arden J. [2000] 1 All E.R. 490

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Jointly executed charge over matrimonial home securing loan facilities granted to husband by bank—Wife unaware of extent of financial risk—Wife receiving advice from legal executive employed by solicitor—Whether transaction manifestly disadvantageous to wife—Whether bank entitled to rely on certificate of independent legal advice—Whether charge enforceable

Barclays Bank Plc. v. Coleman, C.A. [2000] 3 W.L.R. 405

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Defendant found in room in office building—Whether found in enclosed area—Vagrancy Act 1824, s. 4

Talbot v. Director of Public Prosecutions, D.C. [2000] 1 W.L.R. 1102

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Discharge into canal—Sewerage undertaker having no express statutory power to discharge water in its pipes—Whether power to discharge to be implied—Whether incidental to existing pipe-laying power—Water Industry Act 1991, s. 159

British Waterways Board v. Severn Trent Water Ltd., Arden J. [2000] 3 W.L.R. 1

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"*Additional rents*" Lease **P. & O. Property Holdings Ltd. v. International Computers Ltd.,** Neuberger J. [2000] 2 All E.R. 1015

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"*In full and final satisfaction*"—Settlement of action
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"*On any point of law*"—Housing Act 1996, s. 204
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"*Onerous property*"—Insolvency Act 1986, s. 178(3) *In re* **Celtic Extraction Ltd.,** C.A. [2000] 2 W.L.R. 991

"*Ordinary duties of . . . member of the force.*"—Police Pensions Regulations 1987, reg. A12(2)
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"*Property*"—Insolvency Act 1986, s. 436 *In re* **Celtic Extraction Ltd.,** C.A. [2000] 2 W.L.R. 991

"*Proposing to dismiss as redundant*"—Trade Union and Labour Relations Act 1992, s. 188(1) (as substituted) **GMB v. Man Truck & Bus U.K. Ltd.,** E.A.T. [2000] I.C.R. 1101

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"*Rent hereby reserved*"—Lease **P. & O. Property Holdings Ltd. v. International Computers Ltd.,** Neuberger J. [2000] 2 All E.R. 1015

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"*Road*"—Road Traffic Act 1988, ss. 67(1), 192(1)(*a*) (as amended)
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"*Serious*"—Crime (Sentences) Act 1997, s. 2(5) **Reg. v. Buckland,** C.A. [2000] 1 W.L.R. 1262

"*Serious offence*"—Crime (Sentences) Act 1997, s. 2 **Reg. v. Wood (Stephen),** C.A. [2000] 1 W.L.R. 1687

"*Spares and equipment*"—Insurance policy **Kuwait Airways Corpn. v. Kuwait Insurance Co. S.A.K.,** Langley J. [2000] 1 Lloyd's Rep. 252

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"*Specialty*" Limitation Act 1980, s. 8
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"*Train weight*"—Road Traffic Act 1988, s. 108(1)
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"*Use*"—Greater London (Restriction of Goods Vehicles) Traffic Order 1985, art. 3 (as substituted)
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"*Valued policy*"—Marine Insurance Act 1906, s. 27(2)
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"*Watercourse*"—Public Health Act 1936, s. 259(1)(*a*) (as amended)
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"*Wilful misconduct*"—Local Government Finance Act 1982, s. 20
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"*With immediate effect*"—Contract of employment
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"*With knowledge that damage would probably result*"—Carriage by Air Acts (Application of Provisions) Order 1967, Sch. 1, arts. 25, 25A **Nugent v. Michael Goss Aviation Ltd.,** C.A. [2000] 2 Lloyd's Rep. 222

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B., decd., *In re* [1999] Ch. 206; [1999] 2 W.L.R. 1114; [1999] 2 All E.R. 425. **Decision of Jonathan Parker J. reversed** [2000] Ch. 662; [2000] 2 W.L.R. 929, C.A.

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British Home Stores Ltd. v. Burchell (Note) [1980] I.C.R. 303,304, E.A.T. **Applied,** *Beedell v. West Ferry Printers Ltd.* [2000] I.C.R. 1263, E.A.T. **Dictum of Arnold J. applied,** *Foley v. Post Office* [2000] I.C.R. 1283, C.A.

British Leyland U.K. Ltd. v. Swift [1981] I.R.L.R. 91, C.A. **Applied,** *Beedell v. West Ferry Printers Ltd.* [2000] I.C.R. 1263, E.A.T.

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British South Africa Co. v. Companhia de Moçambique [1893] A.C. 602, H.L.(E.). **Considered,** *Pearce v. Ove Arup Partnership Ltd.* [2000] Ch. 403; [2000] 3 W.L.R. 332, C.A.

British Westinghouse Electric and Manufacturing Co. Ltd. v. Underground Electric Railways Co. of London Ltd. [1912] A.C. 673, H.L.(E.). **Applied,** *Dimond v. Lovell* [2000] 2 W.L.R. 1121, H.L.(E.)

Broadmoor Special Hospital Authority v. Robinson [1999] Q.B. 957; [1999] 2 W.L.R. 1006. **Decision of Poole J. affirmed** [2000] Q.B. 775; [2000] 1 W.L.R. 1590, C.A.

Brown v. Guardian Royal Exchange Assurance Plc. [1994] 2 Lloyd's Rep. 325, C.A. **Considered,** *TSB Bank Plc. v. Robert Irving & Burns* [2000] 2 All E.R. 826, C.A.

Brown & Root Technology Ltd. v. Sun Alliance and London Assurance Co. Ltd. [1996] Ch. 51; [1995] 3 W.L.R. 558. **Decision of Judge Paul Baker Q.C. sitting as a High Court judge reversed** [2000] 2 W.L.R. 566, C.A.

Brunswick (Duke of) v. Harmer (1849) 14 Q.B. 185. **Applied,** *Berezovsky v. Michaels* [2000] 1 W.L.R. 1004, H.L.(E.)

Buchan v. Secretary of State for Employment [1997] I.R.L.R. 80, E.A.T. **Not followed,** *Smith v. Secretary of State for Trade and Industry* [2000] I.C.R. 69, E.A.T.

Buckinghamshire County Council v. Moran [1990] Ch. 623, 636; [1989] 3 W.L.R. 152; [1989] 2 All E.R. 225, C.A. **Dicta of Slade L.J. applied,** *J. A. Pye (Oxford) Ltd. v. Graham* [2000] Ch. 676; [2000] 3 W.L.R. 242

Burnside v. Emerson [1968] 1 W.L.R. 1490, 1497; [1968] 3 All E.R. 741, C.A. **Dicta of Diplock L.J. applied,** *Goodes v. East Sussex County Council* [2000] 1 W.L.R. 1356, H.L.(E.)

Burrows v. Brent London Borough Council [1996] 1 W.L.R. 1448; [1996] 4 All E.R. 577, H.L.(E.). **Considered,** *Pemberton v. Southwark London Borough Council* [2000] 1 W.L.R. 1672, C.A.; *Rogers v. Lambeth London Borough Council* [2000] L.G.R. 191, C.A.

Burt v. Governor-General [1992] 3 N.Z.L.R. 672. **Considered,** *Lewis v. Attorney-General of Jamaica* [2000] 3 W.L.R. 1785, P.C.

Burton v. De Vere Hotels Ltd. [1997] I.C.R. 1, E.A.T. **Followed,** *Pearce v. Governing Body of Mayfield Secondary School* [2000] I.C.R. 920, E.A.T.

Byrne v. Deane [1937] 1 K.B. 818; [1937] 2 All E.R. 204, C.A. **Considered,** *Godfrey v. Demon Internet Ltd.* [2000] 3 W.L.R. 1020

C. (A Minor) (Interim Care Order: Residential Assessment), *In re* [1997] A.C. 489; [1996] 3 W.L.R. 1098; [1996] 4 All E.R. 871, H.L.(E.). **Considered,** *Lancashire County Council v. B.* [2000] 2 A.C. 147; [2000] 2 W.L.R. 346, C.A.

C.I.B.C. Mortgages Plc. v. Pitt [1994] 1 A.C. 200; [1993] 3 W.L.R. 802; [1993] 4 All E.R. 433, H.L.(E.). **Considered,** *Barclays Bank Plc. v. Coleman* [2000] 3 W.L.R. 405, C.A.

Cadogan Estates Ltd. v. McMahon [1999] 1 W.L.R. 1689, C.A. **Decision of the Court of Appeal affirmed** [2000] 3 W.L.R. 1555, H.L.(E.)

Calveley v. Chief Constable of the Merseyside Police [1989] A.C. 1228; [1989] 2 W.L.R 624; [1989] 1 All E.R. 1025, H.L.(E.). **Considered,** *Gregory v. Portsmouth City Council* [2000] 1 A.C. 419; [2000] 2 W.L.R. 306, H.L.(E.) **Distinguished,** *Waters v. Comr. of Police of the Metropolis* [2000] 1 W.L.R. 1607; [2000] I.C.R. 1064, H.L.(E.)

Callaway, *In re*; Callaway v. Treasury Solicitor [1956] Ch. 559; [1956] 3 W.L.R. 257; [1956] 2 All E.R. 451. **Considered,** *In re D.W.S., decd.* [2000] 3 W.L.R. 1910, Blackburne J. and C.A.

Camilla Cotton Oil Co. v. Granadex S.A. [1975] 1 Lloyd's Rep. 470, 474–475, C.A. **Dicta of Lord Denning M.R. applied,** *Messier-Dowty Ltd. v. Sabena S.A.* [2000] 1 W.L.R. 2040, C.A.

Camilla Cotton Oil Co. v. Granadex S.A. [1976] 2 Lloyd's Rep. 10, 14, H.L.(E.). **Dicta of Lord Wilberforce applied,** *Messier-Dowty Ltd. v. Sabena S.A.* [2000] 1 W.L.R. 2040, C.A.

Campion v. Hamworthy Engineering Ltd. [1987] I.C.R. 966, C.A. **Applied,** *Foley v. Post Office* [2000] I.C.R. 1283, C.A.

Canada Trust Co. v. Stolzenberg (No. 2) [1998] 1 W.L.R. 547; [1998] 1 All E.R. 318, C.A. **Decision of the Court of Appeal affirmed** [2000] 3 W.L.R. 1376, H.L.(E.)

Caparo Industries Plc. v. Dickman [1990] 2 A.C. 605; [1990] 2 W.L.R. 358; [1990] 1 All E.R. 568, H.L.(E.). **Applied,** *Law Society v. KPMG Peat Marwick* [2000] 1 W.L.R. 1921, C.A. **Considered**, *Law Society v. KPMG Peat Marwick (sued as KPMG Peat Marwick McLintock)* [2000] 1 All E.R. 515; *Kent v. Griffiths* [2000] 2 W.L.R. 1158, C.A.

Capital & Counties Plc. v. Hampshire County Council [1997] Q.B. 1004; [1997] 3 W.L.R. 331; [1997] 2 All E.R. 865, C.A. **Distinguished,** *Kent v. Griffiths* [2000] 2 W.L.R. 1158, C.A.

Cargill v. Gotts [1981] 1 W.L.R. 441; [1981] 1 All E.R. 682, C.A. **Distinguished,** *Atwood v. Bovis Homes Ltd.* [2000] 3 W.L.R. 1842

Carmarthen County Council v. Lewis [1955] A.C. 549; [1955] 2 W.L.R. 517; [1955] 1 All E.R. 565, H.L.(E.). **Followed,** *Jenney (A Minor) v. North Lincolnshire County Council* [2000] L.G.R. 269, C.A.

Carnarvon, Earl of v. Villebois (1844) 13 M. & W. 313. **Applied,** *Allen v. Rochdale Borough Council* [2000] Ch.221; [2000] 2 W.L.R. 182, C.A.

Celtic Extraction Ltd., *In re* [2000] 2 W.L.R. 991; [1999] 4 All E.R. 684, C.A. **Applied,** *Swift v. Dairywise Farms Ltd.* [2000] 1 W.L.R. 1177

Centrafarm B.V. v. American Home Products Corp. (Case 3/78) [1978] E.C.R. 1823, E.C.J. **Considered,** *Pharmacia & Upjohn S.A. v. Paranova A/S* (Case C-379/97) [2000] Ch. 571; [2000] 3 W.L.R. 303, E.C.J.

Chan Wing-Siu v. The Queen [1985] A.C. 168; [1984] 3 W.L.R. 677; [1984] 3 All E.R. 877, P.C. **Applied,** *Flowers v. The Queen* [2000] 1 W.L.R. 2396, P.C.

Chapman v. Letheby & Christopher Ltd. [1981] I.R.L.R. 440, E.A.T. **Considered,** *Drage v. Governing Body of Greenford School* [2000] I.C.R. 899, C.A.

Chapman v. Simon [1994] I.R.L.R. 124, C.A. **Distinguished,** *Eltek (UK) Ltd. v. Thomson* [2000] I.C.R. 689, E.A.T.

Charles v. The State [2000] 1 W.L.R. 384, 387, P.C. **Dicta of Lord Slynn of Hadley applied,** *Flowers v. The Queen* [2000] 1 W.L.R. 2396, P.C.

Charlesworth v. Relay Roads Ltd. [2000] 1 W.L.R. 230, 238; [1999] 4 All E.R. 397. **Dicta of Neuberger J. applied,** *Stewart v. Engel* [2000] 1 W.L.R. 2268, C.A.

Chasemore v. Richards (1859) 7 H.L.Cas. 349, H.L.(E.). **Considered,** *Palmer v. Bowman* [2000] 1 W.L.R. 842, C.A.

Chatters v. Burke [1986] 1 W.L.R. 1321; [1986] 3 All E.R. 168; [1986] R.T.R. 396, D.C. **Distinguished,** *Director of Public Prosecutions v. Humphries* [2000] R.T.R. 52, D.C.

Cheese v. Thomas [1994] 1 W.L.R. 129, 134; [1994] 1 All E.R. 35, C.A. **Dicta of Sir Donald Nicholls V.-C. applied,** *Barclays Bank Plc. v. Coleman* [2000] 3 W.L.R. 405, C.A.

Chevron U.K. Ltd. v. Inland Revenue Comrs. (1995) 67 T.C. 414, 426–427. **Observations of Vinelott J. followed,** *Bibby v. Prudential Assurance Co. Ltd.* (2000) T.C. Leaflet No. 3610

Chichester Diocesan Fund and Board of Finance (Inc.) v. Simpson [1944] A.C. 341; [1944] 2 All E.R. 60, H.L.(E.). **Applied,** *Attorney-General of the Cayman Islands v. Wahr-Hansen* [2000] 3 W.L.R. 869, P.C.

Chief Adjudication Officer v. Faulds, 1998 S.L.T. 1203. **Decision of the Extra Division of the Inner House of the Court of Session reversed** [2000] 1 W.L.R. 1035; [2000] I.C.R. 1297, H.L.(Sc.)

Christofi v. Barclays Bank Plc. [1998] 1 W.L.R. 1245; [1998] 2 All E.R. 484. **Decision of Lawrence Collins Q.C. sitting as a deputy judge of the Chancery Division affirmed** [2000] 1 W.L.R. 937, C.A.

Christ Church, Alsager, *In re* [1999] Fam. 142; [1998] 3 W.L.R. 1394; [1999] 1 All E.R. 117. **Considered**, *In re Durrington Cemetery* [2000] 3 W.L.R. 1322

Clark v. Novacold Ltd. [1999] I.C.R. 951; [1999] 2 All E.R. 977, C.A. **Applied,** *Baynton* v. *Saurus General Engineers Ltd.* [2000] I.C.R. 375, E.A.T.

Cleadon Trust Ltd., *In re* [1939] Ch. 286; [1938] 4 All E.R. 518, C.A. **Applied,** *Crantrave Ltd. v. Lloyds Bank Plc.* [2000] 3 W.L.R. 977, C.A.

Cloverbay Ltd. (Joint Administrators) v. Bank of Credit and Commerce International S.A. [1991] Ch. 90; [1990] 3 W.L.R. 574; [1991] 1 All E.R. 894, C.A. **Distinguished,** *England v. Smith* [2000] 2 W.L.R. 1141, C.A.

Cobra Golf Inc. v. Rata [1998] Ch. 109; [1997] 2 W.L.R. 629; [1997] 2 All E.R. 150. **Considered,** *Memory Corpn. Plc. v. Sidhu* [2000] Ch. 645; [2000] 2 W.L.R. 1106

Cockshott v. Bennett (1788) 2 Durn. & E. 763. **Distinguished,** *Clarion Ltd. v. National Provident Institution* [2000] 1 W.L.R. 1888

Coco v. A. N. Clark (Engineers) Ltd. [1969] R.P.C. 41. **Considered,** *R. v. Department of Health, Ex parte Source Informatics Ltd.* [2000] 2 W.L.R. 940, C.A.

Collard v. Mining & Industrial Holdings Ltd. [1989] S.T.C. 384; 62 T.C. 448. **Considered,** *Carr v. Armpledge Ltd.* (2000) T.C. Leaflet No. 3611, C.A.

Collinge v. Heywood (1839) 9 Ad. & E. 633. **Distinguished,** *Total Liban S.A. v. Vitol Energy S.A.* [2000] 3 W.L.R. 1142

Commercial Union Assurance Co. Plc. v. Shaw [1999] S.T.C. 109; T.C. Leaflet No. 3572, C.A. **Considered** *Prudential Assurance Co. Ltd. v. Bibby* (1999) T.C. Leaflet No. 3593

Commission of the European Communities v. Federal Republic of Germany (Case C-431/92) [1995] E.C.R. I-2189, E.C.J. **Distinguished,** *Berkeley v. Secretary of State for the Environment* [2000] 3 W.L.R. 420, H.L.(E.)

Company (No. 00709 of 1992), *In re* A [1999] 1 W.L.R. 1092; [1999] 2 All E.R. 961, H.L.(E.). **Considered,** *Equitable Life Assurance Society v. Hyman* [2000] 2 W.L.R. 798, C.A.

Company's Application, *In re* A [1989] Ch. 477; [1989] 3 W.L.R. 265; [1989] 2 All E.R. 248. **Considered,** *Woolgar v. Chief Constable of Sussex Police* [2000] 1 W.L.R. 25, C.A.

Connelly v. Director of Public Prosecutions [1964] A.C. 1254, 1360, 1362, 1364; [1964] 2 W.L.R. 1145; [1964] 2 All E.R. 401, H.L.(E.). **Dicta of Lord Devlin and Lord Pearce applied,** *R. v. Z* [2000] 2 A.C. 483; [2000] 3 W.L.R. 117, H.L.(E.)

Connelly v. New Hampshire Insurance Co., 1997 S.L.T. 1341. **Distinguished,** *Chief Adjudication Officer v. Faulds* [2000] 1 W.L.R. 1035; [2000] I.C.R. 1297, H.L.(Sc.)

Connelly v. R.T.Z. Corpn. Plc. [1998] A.C. 854; [1997] 3 W.L.R. 373; [1997] 4 All E.R. 335, H.L.(E.). **Applied,** *Lubbe v. Cape Plc.* [2000] 1 W.L.R. 1545, H.L.(E.)

Consumer & Industrial Press Ltd. (No. 2), *In re* (1987) 4 B.C.C. 72, 73. **Dicta of Peter Gibson J. considered,** *In re T. & D. Industries Plc.* [2000] 1 W.L.R. 646

Continental Bank N.A. v. Aekos Compania Naviera S.A. [1994] 1 W.L.R. 588; [1994] 2 All E.R. 540; [1994] 1 Lloyd's Rep. 505, C.A. **Applied,** *Glencore International A.G. v. Metro Trading International Inc.* [1999] 2 Lloyd's Rep. 632

Cordoba Shipping Co. Ltd. v. National State Bank, Elizabeth, New Jersey (The Albaforth) [1984] 2 Lloyd's Rep. 91, C.A. **Considered,** *Berezovsky v. Michaels* [2000] 1 W.L.R. 1004, H.L.(E.)

Courage v. C. & J. Clark Ltd. (1982) 54 T.C. 670. **Considered,** *Clark v. Trustees of the British Telecom Pension Scheme* (2000) T.C. Leaflet No. 3604, C.A.

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Courage Ltd. v. Crehan [1989] I.R.L.R. 145, C.A. **Distinguished,** *Plummer v. Tibsco Ltd.* [2000] I.C.R. 509

Cowley v. Manson Timber Ltd. [1995] I.C.R. 367, C.A. **Applied,** *Constantine v. McGregor Cory Ltd.* [2000] I.C.R. 938, E.A.T.

Cracknell v. Willis [1988] A.C. 450; [1987] 3 W.L.R. 1082; [1987] 3 All E.R. 801; [1988] R.T.R. 1, H.L.(E.). **Applied,** *Director of Public Prosecutions v. Spurrier* [2000] R.T.R. 60, D.C.

Crake v. Supplementary Benefits Commission [1982] 1 All E.R. 498. **Applied,** *G. v. F. (Non-molestation Order: Jurisdiction)* [2000] Fam. 186; [2000] 3 W.L.R. 1202

Cross v. Kirklees Metropolitan Borough Council [1998] 1 All E.R. 564, C.A. **Overruled,** *Goodes v. East Sussex County Council* [2000] 1 W.L.R. 1356, H.L.(E.)

Cruikshank v. Sutherland (1922) 92 L.J.Ch. 136, H.L.(E.). **Distinguished,** *In re White (Dennis), decd.* [2000] 3 W.L.R. 885, C.A.

Crystall v. Crystall [1963] 1 W.L.R. 574; [1963] 2 All E.R. 330, C.A. **Applied,** *Burridge v. Stafford* [2000] 1 W.L.R. 927, C.A.

Curling v. The Law Society [1985] 1 W.L.R. 470; [1985] 1 All E.R. 705, C.A. **Considered,** *Morgan v. Legal Aid Board* [2000] 1 W.L.R. 1657

Custom Made Commercial Ltd. v. Stawa Metallbau G.m.b.H. (Case C-288/92) [1994] E.C.R. I-2913, E.C.J. **Applied,** *Chailease Finance Corpn. v. Credit Agricole Indosuez* [2000] 1 Lloyd's Rep. 348, C.A.

Daintrey, *In re*, *Ex parte* Holt [1893] 2 Q.B. 116, D.C. **Considered,** *Unilever Plc. v. The Procter & Gamble Co.* [2000] 1 W.L.R. 2436, C.A.

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Danmarks Aktive Handelsrejsende v. Lonmodtagernes Garantifond (Mosbæk's Case) (Case C-117/96) [1998] I.C.R. 954; [1997] E.C.R. I-5017, E.C.J. **Distinguished,** *Everson v. Secretary of State for Trade and Industry* (Case C-198/98) [2000] I.C.R. 525, E.C.J.

Darlington Borough Council v. Wiltshier Northern Ltd. [1995] 1 W.L.R. 68; [1995] 3 All E.R. 895, C.A. **Considered,** *Alfred McAlpine Construction Ltd. v. Panatown Ltd.* [2000] 3 W.L.R. 946, H.L.(E.)

Darmalingum v. The State [2000] 1 W.L.R. 2303, P.C. **Distinguished,** *Flowers v. The State* [2000] 1 W.L.R. 2396, P.C.

Dart v. Dart [1996] 2 F.L.R. 286, C.A. **Considered,** *White v. White* [2000] 3 W.L.R. 1571, H.L.(E.)

Dartstone Ltd. v. Cleveland Petroleum Ltd. [1969] 1 W.L.R. 1807; [1969] 3 All E.R. 668. **Considered,** *Oceanic Village Ltd. v. United Attractions Ltd.* [2000] Ch. 234; [2000] 2 W.L.R. 476

Dattani v. Trio Supermarkets Ltd. [1998] I.C.R. 872, C.A. **Distinguished,** *Kirklees Metropolitan Borough Council v. Farrell* [2000] I.C.R. 1335, E.A.T.

Davies v. Shell Co. of China Ltd. (1951) 32 T.C. 133, C.A. **Considered,** *Clark v. Trustees of the British Telecom Pension Scheme* (2000) T.C. Leaflet No. 3604, C.A.

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Debenhams Plc. v. Westminster City Council [1987] A.C. 396; [1986] 3 W.L.R. 1063; [1987] 1 All E.R. 51, H.L.(E.). **Applied,** *Skerritts of Nottingham Ltd. v. Secretary of State for the Environment, Transport and the Regions* [2000] 3 W.L.R. 511, C.A.

de Dampierre v. de Dampierre [1988] A.C. 92; [1987] 2 W.L.R. 1006; [1987] 2 All E.R. 1, H.L.(E.). **Applied,** *Jordan v. Jordan* [2000] 1 W.L.R. 210, C.A.

de Freitas v. Benny [1976] A.C. 239; [1975] 3 W.L.R. 388, P.C. **Not followed,** *Lewis v. Attorney-General of Jamaica* [2000] 3 W.L.R. 1785, P.C.

Def Lepp Music v. Stuart-Brown [1986] R.P.C. 273. **Distinguished,** *Pearce v. Ove Arup Partnership Ltd.* [2000] Ch. 403; [2000] 3 W.L.R. 332, C.A.

Delaney v. Staples (trading as De Montfort Recruitment) [1992] 1 A.C. 687, 692; [1992] 2 W.L.R. 451; [1992] I.C.R. 483; [1992] 1 All E.R. 944, H.L.(E.). **Considered,** *Cerberus Software Ltd. v. Rowley* [2000] I.C.R. 35, E.A.T. **Dicta of Lord Browne-Wilkinson considered,** *E.M.I. Group Electronics Ltd. v. Coldicott* [2000] 1 W.L.R. 540, C.A.

Den Norske Bank A.S.A. v. Antonatos [1999] Q.B. 271; [1998] 3 W.L.R. 711; [1998] 3 All E.R. 74, C.A. **Considered,** *Memory Corpn. Plc. v. Sidhu (No. 2)* [2000] 1 W.L.R. 1443, C.A.

Deville v. Administration des impôts (Case 240/87) [1988] E.C.R. 3513, E.C.J. **Distinguished,** *Aprile S.r.l. v. Amministrazione delle Finanze dello Stato (No. 2)* (Case C-228/96) [2000] 1 W.L.R. 126, E.C.J.

Devis (W.) & Sons Ltd. v. Atkins [1977] A.C. 931; [1977] 3 W.L.R. 214; [1977] I.C.R. 662; [1977] 3 All E.R. 40, H.L.(E.). **Dictum of Viscount Dilhorne applied,** *Beedell v. West Ferry Printers Ltd.* [2000] I.C.R. 1263, E.A.T.

Dimes v. Proprietors of Grand Junction Canal (1852) 3 H.L.Cas. 759, H.L.(E.). **Applied,** *Locabail (U.K.) Ltd. v. Bayfield Properties Ltd.* [2000] Q.B. 451; [2000] 2 W.L.R. 870, C.A.

Dimond v. Lovell [2000] Q.B. 216; [1999] 3 W.L.R. 561; [1999] 3 All E.R. 1, C.A. **Decision of the Court of Appeal affirmed** [2000] 2 W.L.R. 1121, H.L.(E.)

Diploma Laundry Ltd. v. Surrey Timber Co. Ltd. [1955] 2 Q.B. 604; [1955] 3 W.L.R. 404; [1955] 2 All E.R. 922, C.A. **Considered,** *V.C.S. Car Park Management Ltd. v. Regional Railways North East Ltd.* [2000] 3 W.L.R. 370, C.A.

Director General of Fair Trading v. First National Bank Plc. [2000] 1 W.L.R. 98; [2000] 1 All E.R. 240. **Decision of Evans-Lombe J. reversed** [2000] Q.B. 672; [2000] 2 W.L.R. 1353, C.A.

Director of Public Prosecutions v. Billington [1988] 1 W.L.R. 535; [1988] 1 All E.R. 435; [1988] R.T.R. 231, D.C. **Followed,** *Director of Public Prosecutions v. Noe* [2000] R.T.R. 351, D.C.

Director of Public Prosecutions v. Crofton [1994] R.T.R. 279, D.C. **Applied,** *Director of Public Prosecutions v. Furby* [2000] R.T.R. 181, D.C.

Director of Public Prosecutions v. Guy [1998] R.T.R. 82, D.C. **Considered,** *Vehicle Inspectorate v. Southern Coaches Ltd.* [2000] R.T.R. 165, D.C.

Director of Public Prosecutions v. Hill [1991] R.T.R. 351, D.C. **Distinguished,** *Director of Public Prosecutions v. Spurrier* [2000] R.T.R. 60, D.C.

Director of Public Prosecutions v. Jackson [1999] 1 A.C. 406; [1998] 3 W.L.R. 514; [1998] 3 All E.R. 769; [1998] R.T.R. 397, H.L.(E.). **Applied,** *Bobin v. Director of Public Prosecutions* [1999] R.T.R. 375, D.C.

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Distributori Automatici Italia SpA v. Holford General Trading Co. Ltd. [1985] 1 W.L.R. 1066; [1985] 3 All E.R. 750. **Distinguished,** *Memory Corpn. Plc. v. Sidhu* [2000] 2 W.L.R. 1106

Dong Wha Enterprise Co. Ltd. v. Crownson Shipping Ltd. [1995] 1 Lloyd's Rep. 113. **Considered,** *Pirelli Cables Ltd. v. United Thai Shipping Corpn.* [2000] 1 Lloyd's Rep. 663.

Don King Productions Inc. v. Warren [2000] Ch. 291; [1999] 3 W.L.R. 276; [1999] 2 All E.R. 218, C.A. **Applied,** *Swift v. Dairywise Farms Ltd.* [2000] 1 W.L.R. 1177

Dresser U.K. Ltd. v. Falcongate Freight Management Ltd. [1992] Q.B. 502; [1992] 2 W.L.R. 319; [1992] 2 All E.R. 450, C.A. **Considered,** *Canada Trust Co. v. Stolzenberg (No. 2)* [2000] 3 W.L.R. 1376, H.L.(E.)

Dubai Aluminium Co. Ltd. v. Salaam [1999] 1 Lloyd's Rep. 415. **Decision of Rix J. reversed in part** [2000] 3 W.L.R. 910, C.A.

Dublin City Distillers Ltd. v. Doherty [1914] A.C. 823, H.L.(I.). **Considered,** *Michael Gerson (Leasing) Ltd. v. Wilkinson* [2000] 3 W.L.R. 1645, C.A.

Dunlop v. Lambert (1839) 6 Cl. & F. 600, H.L.(Sc.). **Applied,** *Alfred McAlpine Construction Ltd. v. Panatown Ltd.* [2000] 3 W.L.R. 946, H.L.(E.)

Dunlop v. Woollahra Municipal Council [1982] A.C. 158; [1981] 2 W.L.R. 693; [1981] 1 All E.R. 1202, P.C. **Considered,** *Three Rivers District Council v. Governor and Company of the Bank of England (No. 3)* [2000] 2 W.L.R. 15, C.A.

Durrant v. Branksome Urban District Council [1897] 2 Ch. 291, C.A. **Applied,** *British Waterways Board v. Severn Trent Water Ltd.* [2000] 3 W.L.R. 1

Dyer v. Dorset County Council [1989] Q.B. 346, 357, 358, 359; [1988] 3 W.L.R. 213, C.A. **Dicta not followed,** *Skerritts of Nottingham Ltd. v. Secretary of State for the Environment, Transport and the Regions* [2000] 3 W.L.R. 511, C.A.

ECM (Vehicle Delivery Services) Ltd. v. Cox [1999] I.C.R. 1162; [1999] 4 All E.R. 669, C.A. **Applied,** *RCO Support Services Ltd. v. Unison* [2000] I.C.R. 1502, E.A.T.

E.M.I. Group Electronics Ltd. v. Coldicott [1997] S.T.C. 1372. **Decision of Neuberger J. affirmed** [2000] 1 W.L.R. 540, C.A.

East v. Maurer [1991] 1 W.L.R. 461; [1991] 2 All E.R. 733, C.A. **Considered,** *Clef Aquitaine S.A.R.L. v. Laporte Materials (Barrow) Ltd.* [2000] 3 W.L.R. 1760, C.A.

Economic Life Assurance Society v. Usborne [1902] A.C. 147, H.L.(I.). **Distinguished,** *Director General of Fair Trading v. First National Bank Plc.* [2000] 1 W.L.R. 98

Edge v. Pensions Ombudsman [1998] Ch. 512; [1998] 3 W.L.R. 466; [1998] 2 All E.R. 547. **Decision of Sir Richard Scott V.-C. affirmed** [2000] Ch. 602; [2000] 3 W.L.R. 79; [2000] I.C.R. 748, C.A.

Edgington v. Fitzmaurice (1885) 29 Ch.D. 459, C.A. **Applied,** *Standard Chartered Bank v. Pakistan National Shipping Corpn. (No. 4)* [2000] 3 W.L.R. 1692, C.A.

Edilizia Industriale Siderurgica S.r.l. v. Ministero delle Finanze (Case C-231/96) [1998] E.C.R. I-4951, 4990–4991, paras. 35 37. E.C.J. **Dicta applied,** *Aprile S.r.l. v. Amministrazione delle Finanze dello Stato (No. 2)* (Case C-228/96) [2000] 1 W.L.R. 126, E.C.J.

Edmonds v. Lawson [2000] I.R.L.R. 18. **Decision of Sullivan J. reversed** [2000] Q.B. 501; [2000] 2 W.L.R. 1091; [2000] I.C.R. 567, C.A.

Electricity Supply Nominees Ltd. v. I.A.F. Group Ltd. [1993] 1 W.L.R. 1059; [1993] 3 All E.R. 372. **Approved,** *Unchained Growth III Plc. v. Granby Village (Manchester) Management Co. Ltd.* [2000] 1 W.L.R. 739, C.A.

Elitestone Ltd. v. Morris [1997] 1 W.L.R. 687; [1997] 2 All E.R. 513, H.L.(E.). **Applied,** *Chelsea Yacht and Boat Co. Ltd. v. Pope* [2000] 1 W.L.R. 1941, C.A.

Ellis Shipping Corpn. v. Voest Alpine Intertrading [1992] 2 Lloyd's Rep. 109, C.A. **Applied,** *Cero Navigation Corpn. v. Jean Lion & Cie* [2000] 1 Lloyd's Rep. 292

Elson v. Prices Taylors Ltd. [1963] 1 W.L.R. 287; [1963] 1 All E.R. 231; 40 T.C. 671. **Distinguished,** *Tapemaze Ltd. v. Melluish* (2000) T.C. Leaflet No. 3602

Emanuel v. Emanuel [1982] 1 W.L.R. 669; [1982] 2 All E.R. 342. **Distinguished,** *Memory Corpn. Plc. v. Sidhu* [2000] Ch. 645; [2000] 2 W.L.R. 1106

Emmott v. Minister for Social Welfare (Case C-208/90) [1993] I.C.R. 8; [1991] E.C.R. I-4269, E.C.J. **Distinguished,** *Aprile S.r.l. v. Amministrazione delle Finanze dello Stato (No. 2)* (Case C-228/96) [2000] 1 W.L.R. 126, E.C.J.

Equitable Life Assurance Society v. Hyman [2000] 2 W.L.R. 798; [2000] 2 All E.R. 331, C.A. **Decision of the Court of Appeal affirmed** [2000] 3 W.L.R. 529, H.L.(E.)

Esal (Commodities) Ltd.v. Mahendra Pujara [1989] 2 Lloyd's Rep. 479, C.A. **Applied,** *Caltex Trading Pte. Ltd. v. Metro Trading International Inc.* [1999] 2 Lloyd's Rep. 724

Eshugbayi Eleko v. Officer Administering the Government of Nigeria [1931] A.C. 622, 670, P.C. **Dictum of Lord Atkin applied,** *R. v. Governor of Brockhill Prison, Ex parte Evans (No. 2)* [2000] 3 W.L.R. 843, H.L.(E.)

Evans v. London Hospital Medical College (University of London) [1981] 1 W.L.R. 184; [1981] 1 All E.R. 715. **Considered,** *Darker v. Chief Constable of the West Midlands Police* [2000] 3 W.L.R. 747, H.L.(E.)

Evpo Agnic, The [1988] 1 W.L.R. 1090; [1988] 3 All E.R. 810; [1988] 2 Lloyd's Rep. 411. **Applied,** *The Tian Sheng No. 8* [2000] 2 Lloyd's Rep. 430

Ezekiel v. Orakpo [1997] 1 W.L.R. 340, C.A. **Considered**, *Holder v. Supperstone* [2000] 1 All E.R. 473

F. (A Minor) (Blood Tests: Parental Rights), *In re* [1993] Fam. 314, 321; [1993] 3 W.L.R. 369; [1993] 3 All E.R. 596, C.A. **Dicta of Balcombe L.J. applied,** *In re O. (A Minor) (Blood Tests: Constraint)* [2000] Fam. 139; [2000] 2 W.L.R. 1284

F. (Mental Patient: Sterilisation), *In re* [1990] 2 A.C. 1; [1989] 2 W.L.R. 1025; [1989] 2 All E.R. 545, H.L.(E.). **Applied,** *In re F. (Adult: Court's Jurisdiction)* [2000] 3 W.L.R. 1740, C.A. **Considered,** *In re S. (Adult Patient: Sterilisation)* [2000] 3 W.L.R. 1288, C.A.

Faccenda Chicken Ltd. v. Fowler [1987] Ch. 117; [1986] 3 W.L.R. 288; [1986] I.C.R. 297; [1986] 1 All E.R. 617, C.A. **Applied,** *A. T. Poeton (Gloucester Plating) Ltd. v. Horton* [2000] I.C.R. 1208, C.A. **Considered,** *Intelsec Systems Ltd. v. Grech-Cini* [2000] 1 W.L.R. 1190

Farrell v. Alexander [1977] A.C. 59; [1976] 3 W.L.R. 145; [1976] 2 All E.R. 721, H.L.(E.). **Considered,** *R. v. Secretary of State for the Environment, Transport and the Regions, Ex parte Spath Holme Ltd.* [2000] 3 W.L.R. 141, C.A.

Farrow's Bank Ltd., *In re* [1923] 1 Ch. 41, C.A. **Considered,** *Triffit Nurseries v. Salads Etcetera Ltd.* [1999] 1 Lloyd's Rep. 697; [2000] 2 Lloyd's Rep. 74, C.A.

Fenton v. J. Thorley & Co. Ltd. [1903] A.C. 443, H.L.(E.). **Considered,** *Chief Adjudication Officer v. Faulds* [2000] 1 W.L.R. 1035; [2000] I.C.R. 1297, H.L.(Sc.)

Fetim B.V. v. Oceanspeed Shipping Ltd. [1999] 1 Lloyd's Rep. 612. **Considered,** *Homburg Houtimport B.V. v. Agrosin Private Ltd.* [2000] 1 Lloyd's Rep. 85

Fielding v. Variety Incorporated [1967] 2 Q.B. 841; [1967] 3 W.L.R. 415; [1967] 2 All E.R. 497, C.A. **Considered,** *Khodaparast v. Shad* [2000] 1 W.L.R. 618, C.A.

Films Rover International Ltd. v. Cannon Film Sales Ltd. [1987] 1 W.L.R. 670; [1986] 3 All E.R. 772. **Distinguished,** *R. v. Secretary of State for Health, Ex parte Imperial Tobacco Ltd.* [2000] 2 W.L.R. 834, C.A.

Findlay, *In re* [1985] A.C. 318; [1984] 3 W.L.R. 1159; [1984] 3 All E.R. 801, H.L.(E.). **Considered,** *R. v. North and East Devon Health Authority, Ex parte Coughlan* [2000] 2 W.L.R. 622, C.A.

Firma C-Trade S.A. v. Newcastle Protection and Indemnity Association [1991] 2 A.C. 1; [1990] 3 W.L.R. 78; [1990] 2 All E.R. 705, H.L.(E.). **Distinguished,** *Total Liban S.A. v. Vitol Energy S.A.* [2000] 3 W.L.R. 1142

Fisher v. Minister of Public Safety and Immigration [1998] A.C. 673; [1998] 3 W.L.R. 201, P.C. **Applied,** *Higgs v. Minister of National Security* [2000] 2 A.C. 228; [2000] 2 W.L.R. 1368, P.C.

Fisher v. Minister of Public Safety and Immigration (No. 2) [2000] 1 A.C. 434; [1999] 2 W.L.R. 349, P.C. **Applied,** *Higgs v. Minister of National Security* [2000] 2 A.C. 228; [2000] 2 W.L.R. 1368, P.C. **Distinguished,** *Lewis v. Attorney-General of Jamaica* [2000] 3 W.L.R. 1785, P.C.

Fitzpatrick v. Sterling Housing Association Ltd. [1999] 3 W.L.R. 1113; [1999] 4 All E.R. 705, H.L.(E.). **Considered,** *Victor Chandler International Ltd. v. Customs and Excise Comrs.* [2000] 1 W.L.R. 1296, C.A.

Fitzwilliam Executive Search Ltd. v. Bestuur van het Landelijk Instituut Sociale Verzekeringen (Case C-202/97) (Note) [2000] Q.B. 906; [2000] 3 W.L.R. 1107, E.C.J. **Applied,** *Banks v. Théâtre de la Monnaie* (Case C-178/97) [2000] Q.B. 865; [2000] 3 W.L.R. 1069, E.C.J.

Fletcher, A Debtor, *In re; Ex parte* Fletcher v. Official Receiver [1956] Ch. 28; [1955] 3 W.L.R. 172; [1955] 2 All E.R. 592, C.A. **Considered,** *R. v. Lord Chancellor, Ex parte Lightfoot* [2000] Q.B. 597; [2000] 2 W.L.R. 318, C.A.

Fletcher Estates (Harlescott) Ltd. v. Secretary of State for the Environment [1999] Q.B. 1144; [1999] 2 W.L.R. 730; [1998] 4 All E.R. 838, C.A. **Decision of the Court of Appeal affirmed** [2000] 2 A.C. 307; [2000] 2 W.L.R. 438, H.L.(E.)

Ford v. Metropolitan and Metropolitan District Railway Cos. (1886) 17 Q.B.D. 12, C.A. **Applied,** *Wildtree Hotels Ltd. v. Harrow London Borough Council* [2000] 3 W.L.R. 165, H.L.(E.)

Forsikringsaktieselskapet Vesta v. Butcher [1989] A.C. 852; [1989] 2 W.L.R. 290; [1989] 1 Lloyd's Rep. 331, H.L.(E.). **Considered,** *Groupama Navigation et Transports v. Catatumbo C.A. Seguros* [2000] 1 Lloyd's Rep. 266

Forsythe International (U.K.) Ltd. v. Silver Shipping Co. Ltd. [1994] 1 W.L.R. 1334; [1994] 1 All E.R. 851. **Distinguished,** *Michael Gerson (Leasing) Ltd. v. Wilkinson* [2000] 3 W.L.R. 1645, C.A.

Foskett v. McKeown [1998] Ch. 265; [1998] 2 W.L.R. 298; [1997] 3 All E.R. 392, C.A. **Decision of the Court of Appeal varied** [2000] 2 W.L.R. 1299, H.L.(E.)

Fothergill v. Monarch Airlines Ltd. [1981] A.C. 251; [1980] 3 W.L.R. 209; [1980] 2 All E.R. 696, H.L.(E.). **Applied,** *Western Digital Corpn. v. British Airways Plc.* [2000] 3 W.L.R. 1855, C.A.

Fox v. General Medical Council [1960] 1 W.L.R. 1017, 1023; [1960] 3 All E.R. 225, P.C. **Dicta of Lord Radcliffe applied,** *Nwabueze v. General Medical Council* [2000] 1 W.L.R. 1760, P.C.

Fox v. Taher [1997] I.L.Pr. 441. **Applied,** *Glencore International A.G. v. Metro Trading International Inc.* [1999] 2 Lloyd's Rep. 632

Frost v. Chief Constable of South Yorkshire Police [1999] 2 A.C. 455, 493–494; [1998] 3 W.L.R. 1509; [1999] 1 All E.R. 1, H.L.(E.). **Applied,** *Greatorex v. Greatorex* [2000] 1 W.L.R. 1970. **Dicta of Lord Steyn applied,** *W. v. Essex County Council* [2000] 2 W.L.R. 601, H.L.(E.).

Furniss v. Dawson [1984] A.C. 474; [1984] 2 W.L.R. 226; [1984] 1 All E.R. 530; 55 T.C. 324, H.L.(E.). **Considered,** *DTE Financial Services Ltd. v. Wilson* (1999) T.C. Leaflet No. 3597

G. (A Minor) (Care Order: Threshold Conditions), *In re* [1995] Fam. 16, 20; [1994] 3 W.L.R. 1211. **Dicta of Wall J. considered,** *Lancashire County Council v. B.* [2000] 2 A.C. 147; [2000] 2 W.L.R. 590, H.L.(E.)

G. (An Infant) v. Coltart [1967] 1 Q.B. 432; [1967] 2 W.L.R. 333; [1967] 1 All E.R. 271, D.C. **Overruled,** *R. v. Z* [2000] 2 A.C. 483; [2000] 3 W.L.R. 117, H.L.(E.)

G. v. G. (Periodical Payments) [1998] Fam. 1, 16; [1997] 2 W.L.R. 614; [1997] 1 All E.R. 272, C.A. **Dictum of Ward L.J. not followed,** *Jones v. Jones* [2000] 3 W.L.R. 1505, C.A.

G.F. (Medical Treatment), *In re* [1992] 1 F.L.R. 293. **Considered,** *In re S. (Adult Patient: Sterilisation)* [2000] 3 W.L.R. 1288, C.A.

GIO Personal Investment Services Ltd. v. Liverpool and London Steamship Protection and Indemnity Association Ltd. (FAI General Insurance Co. Ltd. Intervening) [1999] 1 W.L.R. 984, C.A. **Considered,** *Barings Plc. v. Coopers & Lybrand* [2000] 1 W.L.R. 2353, C.A.

Gale v. Superdrug Stores Plc. [1996] 1 W.L.R. 1089; [1996] 3 All E.R. 468, C.A. **Considered,** *Charlesworth v. Relay Roads Ltd.* [2000] 1 W.L.R. 230

Galashiels Gas Co. Ltd v. Millar [1949] A.C. 275; [1949] 1 All E.R. 319, H.L.(Sc.) **Applied,** *Stark v. Post Office* [2000] I.C.R. 1013, C.A.

Galoo Ltd. v. Bright Grahame Murray [1994] 1 W.L.R. 1360; [1995] 1 All E.R. 16. **Distinguished,** *Sawea Finance Ltd. v. KPMG (formerly KPMG Peat Marwick McLintock)* [2000] 1 All E.R. 676, C.A.

Gammon (Hong Kong) Ltd. v. Attorney-General of Hong Kong [1985] A.C. 1; [1984] 3 W.L.R. 437; [1984] 2 All E.R. 503, P.C. **Applied,** *Harrow London Borough Council v. Shah* [2000] 1 W.L.R. 83, D.C.

Garner v. Pounds Shipowners and Shipbreakers Ltd. [1999] S.T.C. 19, C.A. **Decision of the Court of Appeal affirmed** [2000] 1 W.L.R. 1107, H.L.(E.)

Garratt (Henry J.) & Co. v. Ewing [1991] 1 W.L.R. 1356; [1991] 4 All E.R. 891, C.A. **Applied,** *Johnson v. Valks* [2000] 1 W.L.R. 1502, C.A.

Garvin v. London (City) Police Authority [1944] K.B. 358; [1944] 1 All E.R. 378, D.C. **Applied,** *R. v. Kellam, Ex parte South Wales Police Authority* [2000] I.C.R. 632

Gateshead Metropolitan Borough Council v. L. [1996] Fam. 55; [1996] 3 W.L.R. 426; [1996] 3 All E.R. 264. **Considered,** *Northamptonshire County Council v. Islington London Borough Council* [2000] 2 W.L.R. 193, C.A.

Gatewhite Ltd. v. Iberia Lineas Aereas de Espana S.A. [1990] 1 Q.B. 326; [1989] 3 W.L.R. 1080; [1989] 1 All E.R. 944. **Approved,** *Western Digital Corpn. v. British Airways Plc.* [2000] 3 W.L.R. 1855, C.A.

Gebhard v. Consiglio dell'Ordine degli Avvocati e Procuratori di Milano (Case C-55/94) [1995] E.C.R. I-4165, 4197–4198, para. 37, E.C.J. **Dicta applied,** *Centros Ltd. v. Erhvervs- og Selskabsstyrelsen* (Case C-212/97) [2000] Ch. 446; [2000] 2 W.L.R. 1048, E.C.J.

Gentle v. Faulkner [1900] 2 Q.B. 267, C.A. **Applied,** *Brown & Root Technology Ltd. v. Sun Alliance and London Assurance Co. Ltd.* [2000] 2 W.L.R. 566, C.A.

Ghani v. Jones [1970] 1 Q.B. 693; [1969] 3 W.L.R. 1158; [1969] 3 All E.R. 1700, C.A. **Applied,** *Cowan v. Condon* [2000] 1 W.L.R. 254, C.A.

Gibson v. East Riding of Yorkshire Council [1999] I.C.R. 622, E.A.T. **Decision of the Employment Appeal Tribunal reversed** [2000] I.C.R. 890, C.A.

Gilham v. Kent County Council (No. 2) [1985] I.C.R. 233, E.A.T. **Applied,** *Beedell v. West Ferry Printers Ltd.* [2000] I.C.R. 1263, E.A.T.; *Foley v. Post Office* [2000] I.C.R. 1283, C.A.

Gillespie v. Northern Health and Social Services (Case C-342/93) [1996] I.C.R. 498; [1996] E.C.R. I-475, E.C.J. **Applied,** *Alabaster v. Woolwich Plc.* [2000] I.C.R. 1037, E.A.T.

Gillett v. Holt [1998] 3 All E.R. 917. **Decision of Carnwath J. reversed** [2000] 3 W.L.R. 815, C.A.

Gilmour Caterers Ltd. v. St. Bartholomew's Hospital Governors [1956] 1 Q.B. 387; [1956] 2 W.L.R. 419; [1956] 1 All E.R. 314, C.A. **Considered,** *Durley House Ltd. v. Cadogan* [2000] 1 W.L.R. 246

Glenister v. Rowe [2000] Ch. 76; [1999] 3 W.L.R. 716; [1999] 3 All E.R. 452, C.A. **Distinguished,** *Holder v. Supperstone* [2000] 1 All E.R. 473

Goldman v. Hargrave [1967] 1 A.C. 645; [1966] 3 W.L.R. 513; [1966] 2 All E.R. 989, P.C. **Applied,** *Holbeck Hall Hotel Ltd. v. Scarborough Borough Council* [2000] Q.B. 836; [2000] 2 W.L.R. 1396, C.A. **Considered,** *Bybrook Barn Garden Centre Ltd. v. Kent County Council* [2000] L.G.R. 302

Goodes v. East Sussex County Council [1999] R.T.R. 210, C.A. **Decision of the Court of Appeal reversed** [2000] 1 W.L.R. 1356, H.L.(E.)

Gourdain v. Nadler (Case 133/78) [1979] E.C.R. 733, 734, E.C.J. **Applied,** *Ashurst v. Pollard* [2000] 2 All E.R. 772. **Dicta applied,** *UBS A.G. v. Omni Holding A.G.* [2000] 1 W.L.R. 916

Gouriet v. Union of Post Office Workers [1978] A.C. 435; [1977] 3 W.L.R. 300; [1977] 3 All E.R. 70, H.L.(E.). **Considered,** *R. v. Director of Public Prosecutions, Ex parte Duckenfield* [2000] 1 W.L.R. 55, D.C.

Governing Body of Clifton Middle School v. Askew [1997] I.C.R. 808, E.A.T. **Decision of the Employment Appeal Tribunal affirmed** [2000] I.C.R. 286, C.A.

Grampian Regional Council v. Secretary of State for Scotland [1983] 1 W.L.R. 1340; [1983] 3 All E.R. 673, H.L.(Sc.). **Distinguished,** *Fletcher Estates (Harlescott) Ltd. v. Secretary of State for the Environment* [2000] 2 A.C. 307; [2000] 2 W.L.R. 438, H.L.(E.)

Gray's Inn Construction Co. Ltd., *In re* [1980] 1 W.L.R. 711; [1980] 1 All E.R. 814, C.A. **Applied,** *Hollicourt (Contracts) Ltd. v. Bank of Ireland* [2000] 1 W.L.R. 895. **Distinguished,** *Coutts & Co. v. Stock* [2000] 1 W.L.R. 906

Greaves v. Keene (1879) 4 Ex.D. 73, D.C. **Distinguished,** *R. v. Governor of Brockhill Prison, Ex parte Evans (No. 2)* [2000] 3 W.L.R. 843, H.L.(E.)

Green Star Shipping Co. Ltd. v. London Assurance (1931) 39 Ll.L. Rep. 213. **Considered,** *The Abt Rasha* [2000] 1 Lloyd's Rep. 8

Gregory v. Portsmouth City Council (1997) 96 L.G.R. 569, C.A. **Decision of the Court of Appeal affirmed** [2000] 1 A.C. 419; [2000] 2 W.L.R. 306, H.L.(E.)

Griffiths v. Jackson [1983] S.T.C. 184; 56 T.C. 583. **Followed,** *Hatt v. Newman* (2000) T.C. Leaflet No. 3600

Grimaldi Compagnia di Navigazione S.p.A. v. Sekihyo Lines Ltd. [1999] 1 W.L.R. 708; [1998] 3 All E.R. 943. **Considered,** *Harbour and General Works Ltd. v. Environment Agency* [2000] 1 W.L.R. 950, C.A.; *Grammer v. Lane* [2000] 2 All E.R. 245, C.A.

Groom v. Crocker [1939] 1 K.B. 194; [1938] 2 All E.R. 394, C.A. **Considered,** *TSB Bank Plc. v. Robert Irving & Burns* [2000] 2 All E.R. 826, C.A.

Gubisch Mashinenfabrik K.G. v. Palumbo (Case 144/86) [1987] E.C.R. 4861, E.C.J. **Considered,** *Glencore International A.G. v. Metro Trading International Inc.* [1999] 2 Lloyd's Rep. 632

Guerra v. Baptiste [1996] A.C. 397; [1995] 3 W.L.R. 891; [1995] 4 All E.R. 583, P.C. **Distinguished,** *Higgs v. Minister of National Security* [2000] 2 A.C. 228; [2000] 2 W.L.R. 1368, P.C.

H. (A Minor) (Blood Tests: Parental Rights), *In re* [1997] Fam. 89, 100; [1996] 3 W.L.R. 506; [1996] 4 All E.R. 28, C.A. **Dicta of Ward L.J. applied,** *In re O. (A Minor) (Blood Tests: Constraint)* [2000] Fam. 139; [2000] 2 W.L.R. 1284

Haddon v. Van den Bergh Foods Ltd. [1999] I.C.R. 1150, E.A.T. **Overruled,** *Foley v Post Office* [2000] I.C.R. 1283, C.A. **Not followed,** *Beedell v. West Ferry Printers Ltd.* [2000] I.C.R. 1263, E.A.T.

Haji-Ioannou v. Frangos [1999] 2 Lloyd's Rep. 337, C.A. **Considered,** *Glencore International A.G. v. Metro Trading International Inc.* [1999] 2 Lloyd's Rep. 632

Halki Shipping Corpn. v. Sopex Oils Ltd. [1998] 1 Lloyd's Rep. 465, C.A. **Applied,** *Wealands v. CLC Contractors Ltd.* [1999] 2 Lloyd's Rep. 739, Tuckey J. and C.A.

Hall (Arthur J. S.) & Co. v. Simons [1999] 3 W.L.R. 873, C.A. **Decision of the Court of Appeal affirmed** [2000] 3 W.L.R. 543, H.L.(E.)

Hall & Co. Ltd. v. Shoreham-by-Sea Urban District Council [1964] 1 W.L.R. 240; [1964] 1 All E.R. 1; 62 L.G.R. 206, D.C. **Applied,** *Leeds City Council v. Spencer* [2000] L.G.R. 68, C.A.

Hallett's Estate, *In re*; Knatchbull v. Hallett (1880) 13 Ch.D. 696, 709, C.A. **Dictum of Sir George Jessel M.R. disapproved,** *Foskett v. McKeown* [2000] 2 W.L.R. 1299, H.L.(E.)

Halliard Property Co. Ltd. v. Jack Segal Ltd. [1978] 1 W.L.R. 377; [1978] 1 All E.R. 1219. **Considered,** *Cadogan Estates Ltd. v. McMahon* [2000] 3 W.L.R. 1555, H.L.(E.)

Hamilton v. Al Fayed [1999] 1 W.L.R. 1569; [1999] 3 All E.R. 317, C.A. **Decision of the Court of Appeal affirmed** [2000] 2 W.L.R. 609, H.L.(E.)

Hamilton v. National Coal Board [1960] A.C. 633; [1960] 2 W.L.R. 313; [1960] 1 All E.R. 76, H.L.(Sc.). **Applied,** *Stark v. Post Office* [2000] I.C.R. 1013

Handte (Jakob) et Cie. G.m.b.H. v. Traitements mécano-chimiques des surfaces S.A. (TMCS) (Case C-26/91) [1992] E.C.R. I-3967, E.C.J. **Applied,** *Réunion Européenne S.A. v. Spliethoff's Bevrachtingskantoor B.V.* (Case C-51/97) [2000] Q.B. 690; [2000] 3 W.L.R. 1213, E.C.J.

Hanlon v. The Law Society [1981] A.C. 124; [1980] 2 W.L.R. 756; [1980] 2 All E.R. 199, H.L.(E.). **Applied,** *Bridgewater v. Griffiths* [2000] 1 W.L.R. 524; *Morgan v. Legal Aid Board* [2000] 1 W.L.R. 1657. **Considered,** *R. v. Lord Chancellor, Ex parte Lightfoot* [2000] Q.B. 597; [2000] 2 W.L.R. 318, C.A.

Harbour and General Works Ltd. v. Environment Agency [1999] 1 All E.R. (Comm.) 953. **Decision of Colman J. affirmed** [2000] 1 W.L.R. 950, C.A.

Hardie v. C.D. Northern Ltd. [2000] I.C.R. 207, E.A.T. **Followed,** *Colt Group Ltd. v. Couchman* [2000] I.C.R. 327, E.A.T.

Hare v. Gocher [1962] 2 Q.B. 641; [1962] 3 W.L.R. 339; [1962] 2 All E.R. 763, D.C. **Distinguished,** *Zoan v. Rouamba* [2000] 1 W.L.R. 1509, C.A.

Harrison v. Tew [1990] 2 A.C. 523; [1990] 2 W.L.R. 210; [1990] 1 All E.R. 321, H.L.(E.). **Distinguished,** *Turner & Co. v. O. Palomo S.A.* [2000] 1 W.L.R. 37, C.A.

Harrods (Buenos Aires Ltd., *In re* [1992] Ch. 72; [1991] 3 W.L.R. 397; [1991] 4 All E.R. 334, Harman J. and C.A. **Applied,** *Ace Insurance S.A.N.V. (formerly Cigna Insurance Co. of Europe S.A. -N.A.) v. Zurich Insurance Co.* [2000] 2 Lloyd's Rep. 423

Haydon v. Kent County Council [1978] Q.B. 343; [1978] 2 W.L.R. 485; [1978] 2 All E.R. 97, C.A. **Overruled,** *Goodes v. East Sussex County Council* [2000] 1 W.L.R. 1356, H.L.(E.)

Hayward, decd., *In re* [1997] Ch. 45; [1996] 3 W.L.R. 674; [1997] 1 All E.R. 32. **Applied,** *Ashurst v. Pollard* [2000] 2 All E.R. 772

Heath v. Tang [1993] 1 W.L.R. 1421; [1993] 4 All E.R. 694, C.A. **Considered,** *Haig v. Aitken* [2000] 3 W.L.R. 1117

Heil v. Rankin [2000] 2 W.L.R. 1173; [2000] 3 All E.R. 138, C.A. **Distinguished,** *Rahman v. Arearose Ltd.* [2000] 3 W.L.R. 1184, C.A.

Henderson v. Preston (1888) 21 Q.B.D. 362, C.A. **Distinguished,** *R. v. Governor of Brockhill Prison, Ex parte Evans (No. 2)* [2000] 3 W.L.R. 843, H.L.(E.)

Henry v. Foster (1931) 16 T.C. 605, C.A. **Applied,** *E.M.I. Group Electronics Ltd. v. Coldicott* [2000] 1 W.L.R. 540, C.A.

Higgs v. Minister of National Security [2000] 2 A.C. 228; [2000] 2 W.L.R. 1368, P.C. **Distinguished,** *Lewis v. Attorney-General of Jamaica* [2000] 3 W.L.R. 1785, P.C.

Higgs v. Olivier [1952] Ch. 311; 33 T.C. 136, C.A. **Distinguished,** *Tapemaze Ltd. v. Melluish* (2000) T.C. Leaflet No. 3602

Hill v. Chief Constable of West Yorkshire [1989] A.C. 53; [1988] 2 W.L.R. 1049; [1988] 2 All E.R. 238, H.L.(E.). **Distinguished,** *Waters v. Comr. of Police of the Metropolis* [2000] 1 W.L.R. 1607; [2000] I.C.R. 1064, H.L.(E.)

Historic Houses Hotels Ltd. v. Cadogan Estates [1995] 1 E.G.L.R. 117, C.A. **Considered,** *Durley House Ltd. v. Cadogan* [2000] 1 W.L.R. 246

Hodgson v. Trapp [1989] A.C. 807, 819; [1988] 3 W.L.R. 1281; [1988] 3 All E.R. 870, H.L.(E.). **Dicta of Lord Bridge of Harwich followed,** *Williams v. BOC Gases Ltd.* [2000] I.C.R. 1181, C.A. **Considered,** *Warren v. Northern General Hospital N.H.S. Trust (No. 2)* [2000] 1 W.L.R. 1404, C.A.; *Van Oudenhoven v. Griffin Inns Ltd.* [2000] 1 W.L.R. 1413, C.A.

Hoffmann-La Roche & Co. A.G. v. Centrafarm Vertriebsgesellschaft Pharmazeutischer Erzeugnisse m.b.H. (Case 102/77) [1978] E.C.R. 1139, E.C.J. **Considered,** *Pharmacia & Upjohn S.A. v. Paranova A/S* (Case C-379/97) [2000] Ch. 571; [2000] 3 W.L.R. 303, E.C.J.

Hoicrest Ltd., *In re* [1998] 2 B.C.L.C. 175. **Decision of Judge Rich Q.C. sitting as a judge of the Chancery Division reversed** [2000] 1 W.L.R. 414, C.A.

Holbeck Hall Hotel Ltd. v. Scarborough Borough Council (1997) 57 Con.L.R. 113. **Decision of Judge John Hicks Q.C. sitting on official referees' business reversed** [2000] Q.B. 836; [2000] 2 W.L.R. 1396, C.A.

Holland v. Hodgson (1872) L.R. 7 C.P. 328. **Applied,** *Chelsea Yacht and Boat Co. Ltd. v. Pope* [2000] 1 W.L.R. 1941, C.A.

Holland v. Lampen-Wolfe [1999] 1 W.L.R. 188, C.A. **Decision of the Court of Appeal affirmed** [2000] 1 W.L.R. 1573, H.L.(E.)

Hollicourt (Contracts) Ltd. v. Bank of Ireland [2000] 1 W.L.R. 895; [2000] 2 All E.R. 45. **Not followed,** *Coutts & Co. v. Stock* [2000] 1 W.L.R. 906

Home Brewery Co. Ltd. v. William Davis & Co. (Leicester) Ltd. [1987] Q.B. 339; [1987] 2 W.L.R. 117; [1987] 1 All E.R. 637. **Considered,** *Palmer v. Bowman* [2000] 1 W.L.R. 842, C.A.

Hongkong Fir Shipping Co. Ltd. v. Kawasaki Kishen Kaisha Ltd. [1962] 2 Q.B. 26; [1962] 2 W.L.R. 474; [1962] 1 All E.R. 474; [1961] 2 Lloyd's Rep. 478, C.A. **Applied,** *B.S. & N. Ltd. (BVI) v. Micado Shipping Ltd. (Malta)* [2000] 2 Lloyd's Rep. 37

Horvath v. Secretary of State for the Home Deaprtment [2000] I.N.L.R. 15, C.A. **Decision of the Court of Appeal affirmed** [2000] 3 W.L.R. 379, H.L.(E.).

Horvath v. Secretary of State for the Home Deaprtment [2000] I.N.L.R. 15, C.A. **Considered,** *Karanakaran v. Secretary of State for the Home Department* [2000] 3 All E.R. 449, C.A.

Huggins, *Ex parte; In re* Huggins (1882) 21 Ch.D. 85, C.A. **Not followed,** *Krasner v. Dennison* [2000] 3 W.L.R. 720, C.A.

Hughes v. Kingston upon Hull City Council [1999] Q.B. 1193; [1999] 2 W.L.R. 1229; [1999] 2 All E.R. 49, D.C. **Considered,** *Awwad v. Geraghty & Co.* [2000] 3 W.L.R. 1041, C.A.

Hughes v. Lord Advocate [1963] A.C. 837; [1963] 2 W.L.R. 779; [1963] 1 All E.R. 705, H.L.(Sc.). **Considered,** *Jolley v. Sutton London Borough Council* [2000] 1 W.L.R. 1082, H.L.(E.); *Jebson v. Ministry of Defence* [2000] 1 W.L.R. 2055; [2000] I.C.R. 1220, C.A.

Hunt v. Severs [1994] 2 A.C. 350, 357; [1994] 2 W.L.R. 602; [1994] 2 All E.R. 385, H.L.(E.). **Dicta of Lord Bridge of Harwich followed,** *Williams v. BOC Gases Ltd.* [2000] I.C.R. 1181, C.A. **Applied,** *Dimond v. Lovell* [2000] 2 W.L.R. 1121, H.L.(E.)

Hunter v. Butler [1996] R.T.R. 396, C.A. **Distinguished,** *Cox v. Hockenhull* [2000] 1 W.L.R. 750, C.A.

Hunter v. Canary Wharf Ltd. [1997] A.C. 655, 703; [1997] 2 W.L.R. 684; [1997] 2 All E.R. 426, H.L.(E.). **Dicta of Lord Hoffmann considered,** *Pemberton v. Southwark London Borough Council* [2000] 1 W.L.R. 1672, C.A.

Hunter v. Chief Constable of the West Midlands Police [1982] A.C. 529; [1981] 3 W.L.R. 906; [1981] 3 All E.R. 727, H.L.(E.). **Applied,** *Arthur J. S Hall & Co. v. Simons* [2000] 3 W.L.R. 543, H.L.(E.). **Considered,** *In re Norris* [2000] 1 W.L.R. 1094, C.A.

Hunter v. Dewhurst (1932) 16 T.C. 605, H.L.(E.). **Distinguished,** *E.M.I. Group Electronics Ltd. v. Coldicott* [2000] 1 W.L.R. 540, C.A.

Hunter v. Dowling [1893] 3 Ch. 212, C.A. **Applied,** *In re White (Dennis), decd.* [2000] 3 W.L.R. 885, C.A.

Hurst v. Bryk [1999] Ch. 1; [1998] 2 W.L.R. 269; [1997] 2 All E.R. 283, C.A. **Decision of the Court of Appeal affirmed** [2000] 2 W.L.R. 740, H.L.(E.)

Hussain v. New Taplow Paper Mills Ltd. [1988] A.C. 514; [1988] 2 W.L.R. 266; [1988] I.C.R. 259; [1988] 1 All E.R. 541, H.L.(E.). **Dicta of Lord Bridge of Harwich followed,** *Williams v. BOC Gases Ltd.* [2000] I.C.R. 1181, C.A.

Hytec Information Systems Ltd. v. Coventry City Council [1997] 1 W.L.R. 1666, 1675, C.A. **Dicta of Ward L.J. applied,** *Memory Corpn. Plc. v. Sidhu (No. 2)* [2000] 1 W.L.R. 1443, C.A.

IBC Vehicles Ltd. v. Khanum (unreported), 15 September 1999, E.A.T. **Followed,** *Tchoula v. ICTS (U.K.) Ltd.* [2000] I.C.R. 1191, E.A.T.

Iceland Frozen Foods Ltd. v. Jones [1983] I.C.R. 17, E.A.T. **Applied,** *Beedell v. West Ferry Printers Ltd.* [2000] I.C.R. 1263, E.A.T.; *Foley v Post Office* [2000] I.C.R. 1283, E.A.T.

Industrial Development Consultants Ltd. v. Cooley [1972] 1 W.L.R. 443; [1972] 2 All E.R. 86. **Distinguished,** *University of Nottingham v. Fishel* [2000] I.C.R. 1462

Islamic Republic of Iran Shipping Lines v. Ierax Shipping Co. of Panama [1991] 1 Lloyd's Rep. 81. **Applied,** *Cero Navigation Corpn. v. Jean Lion & Cie* [2000] 1 Lloyd's Rep. 292

Iswera v. Comr. of Inland Revenue [1965] 1 W.L.R. 663, P.C. **Considered,** *Clark v. Trustees of the British Telecom Pension Scheme* (2000) T.C. Leaflet No. 3604, C.A.

Imperial Group Pension Trust Ltd. v. Imperial Tobacco Ltd. [1991] 1 W.L.R. 589; [1991] I.C.R. 524; [1991] 2 All E.R. 597. **Considered,** *National Grid Co. Plc. v. Mayes* [2000] I.C.R. 174, C.A.

Inco Europe Ltd. v. First Choice Distribution [1999] 1 W.L.R. 270; [1999] 1 All E.R. 820, C.A. **Decision of the Court of Appeal affirmed** [2000] 1 W.L.R. 586, H.L.(E.)

Inland Revenue Comrs. v. Fitzwilliam [1993] 1 W.L.R. 1189; [1993] 3 All E.R. 184; 67 T.C. 614, H.L.(E.). **Considered,** *DTE Financial Services Ltd. v. Wilson* (1999) T.C. Leaflet No. 3597

Inland Revenue Comrs. v. McGuckian [1997] 1 W.L.R. 991; [1997] 3 All E.R. 817; 69 T.C. 1, H.L.(N.I.). **Considered,** *DTE Financial Services Ltd. v. Wilson* (1999) T.C. Leaflet No. 3597

Inland Revenue Comrs. v. Metrolands (Property Finance) Ltd. [1981] 1 W.L.R. 637, 646; [1981] 2 All E.R. 166. **Dictum of Nourse J. applied,** *R. v. Dimsey* [2000] Q.B. 744; [2000] 3 W.L.R. 273, C.A.

Interbulk Ltd. v. Aiden Shipping Co. Ltd. (The Vimerira) (Note) [1985] 2 Lloyd's Rep. 410, C.A. **Applied,** *Aparau v. Iceland Frozen Foods Plc.* [2000] I.C.R. 341, C.A.

Investors Compensation Scheme Ltd. v. West Bromwich Building Society [1998] 1 W.L.R. 896; [1998] 1 All E.R. 98, H.L.(E.). **Considered,** *Zoan v. Rouamba* [2000] 1 W.L.R. 1509, C.A.

J.A. (Child Abduction: Non-Convention Country), *In re* [1998] 1 F.L.R. 231, C.A. **Considered,** *Osman v. Elasha* [2000] Fam. 62; [2000] 2 W.L.R. 1036, C.A.

Jameson v. Central Electricity Generating Board [2000] 1 A.C. 455; [1999] 2 W.L.R. 141; [1999] 1 All E.R. 193, H.L.(E.). **Distinguished,** *Heaton v. AXA Equity & Law Life Assurance Society Plc.* [2000] 3 W.L.R. 1341, C.A.

Jarvis v. Hampshire County Council [2000] E.L.R. 36, C.A. **Decision of the Court of Appeal reversed** [2000] 3 W.L.R. 776, H.L.(E.)

Jelley v. Iliffe [1981] Fam. 128, 141, 142; [1981] 2 W.L.R. 801; [1981] 2 All E.R. 29, C.A. **Dicta of Griffiths L.J. applied,** *In re B., decd.* [2000] Ch. 662; [2000] 2 W.L.R. 929, C.A.

Jelson Ltd. v. Minister of Housing and Local Government [1970] 1 Q.B. 243; [1969] 3 W.L.R. 282; [1969] 3 All E.R. 147, C.A. **Applied,** *Fletcher Estates (Harlescott) Ltd. v. Secretary of State for the Environment* [2000] 2 A.C. 307; [2000] 2 W.L.R. 438, H.L.(E.)

Jobling v. Associated Dairies Ltd. [1982] A.C. 794; [1981] 3 W.L.R. 155; [1981] 2 All E.R. 752, H.L.(E.). **Considered,** *Rahman v. Arearose Ltd.* [2000] 3 W.L.R. 1184, C.A.

Johnson v. Davies [1999] Ch. 117; [1998] 3 W.L.R. 1299; [1998] 2 All E.R. 649, C.A. **Considered,** *Heaton v. AXA Equity & Law Life Assurance Society Plc.* [2000] 3 W.L.R. 1341, C.A.

Jolley v. Sutton London Borough Council [1998] 1 W.L.R. 1546; [1998] 3 All E.R. 559, C.A. **Decision of the Court of Appeal reversed** [2000] 1 W.L.R. 1082, H.L.(E.)

Jolley v. Sutton London Borough Council [2000] 1 W.L.R. 1082; [2000] 3 All E.R. 409, H.L.(E.). **Applied,** *Jebson v. Ministry of Defence* [2000] 1 W.L.R. 2055; [2000] I.C.R. 1220, C.A.

Jones v. Prothero [1952] 1 All E.R. 434, D.C. **Applied,** *Cawthorn v. Director of Public Prosecutions* [2000] R.T.R. 45, D.C.

Jones & Son v. Whitehouse [1918] 2 K.B. 61, C.A. **Applied,** *Turner & Co. v. O. Palomo S.A.* [2000] 1 W.L.R. 37, C.A.

Jowett (Angus) & Co. Ltd. v. National Union of Tailors and Garment Workers [1985] I.C.R. 646, E.A.T. **Not followed,** *Kerry Foods Ltd. v. Creber* [2000] I.C.R. 556, E.A.T.

Joyce v. Sengupta [1993] 1 W.L.R. 337; [1993] 1 All E.R. 897, C.A. **Considered,** *Khodaparast v. Shad* [2000] 1 W.L.R. 618, C.A.

K. (Enduring Powers of Attorney), *In re* [1988] Ch. 310, 316; [1988] 2 W.L.R. 781; [1988] 1 All E.R. 358. **Dicta of Hoffmann J. not applied,** *In re W. (Enduring Power of Attorney)* [2000] Ch. 372; [2000] 3 W.L.R. 45

Kaja v. Secretary of State for the Home Department [1995] Imm.A.R. 1. **Explained,** *Karanakaran v. Secretary of State for the Home Department* [2000] 3 All E.R. 449, C.A.

Kalfelis v. Bankhaus Schröder, Munchmeyer, Hengst & Co. (Case 189/87) [1988] E.C.R. 5565, E.C.J. **Applied,** *Réunion Européenne S.A. v. Spliethoff's Bevrachtingskantoor B.V.* (Case C-51/97) [2000] Q.B. 690; [2000] 3 W.L.R. 1213, E.C.J.

Kemper Reinsurance Co. v. Minister of Finance [2000] 1 A.C. 1; [1998] 3 W.L.R. 630, P.C. **Distinguished,** *R. v. Secretary of State for Trade and Industry, Ex parte Eastaway* [2000] 1 W.L.R. 2222, H.L.(E.)

Kenny v. Hampshire Constabulary [1999] I.C.R. 27, 37, E.A.T. **Dicta of Morison J. considered,** *Baynton v. Saurus General Engineers Ltd.* [2000] I.C.R. 375, C.A.

Kent v. Griffiths [1999] Lloyd's Rep.Med. 424. **Decision of Turner J. as to liability affirmed** [2000] 2 W.L.R. 1158, C.A. **Decision of Turner J. as to quantum varied** sub nom. *Heil v. Rankin* [2000] 2 W.L.R. 1173, C.A.

Kent County Council v. C. [1993] Fam. 57, 61–62; [1992] 3 W.L.R. 808; [1993] 1 All E.R. 719. **Dicta of Ewbank J. doubted,** *In re W. (A Child) (Parental Contact: Prohibition)* [2000] Fam. 130; [2000] 2 W.L.R. 1276, C.A.

Kentish Homes Ltd., *In re* (1993) 91 L.G.R. 592. **Overruled,** *In re Toshoku Finance U.K. Plc.* [2000] 1 W.L.R. 2478, C.A.

Ketteman v. Hansel Properties Ltd. [1987] A.C. 189; [1987] 2 W.L.R. 312; [1988] 1 All E.R. 38, H.L.(E.). **Considered,** *Charlesworth v. Relay Roads Ltd.* [2000] 1 W.L.R. 230

Khaldoun v. Secretary of State for the Home Department [1996] Imm.A.R. 200, C.A. **Considered,** *R. v. Secretary of State for the Home Department, Ex parte Yousaf* [2000] 3 All E.R. 649, C.A.

Khan v. Miah [1998] 1 W.L.R. 477, C.A. **Decision of the Court of Appeal reversed** [2000] 1 W.L.R. 2123, H.L.(E.)

King v. Thomas McKenna Ltd. [1991] 2 Q.B. 480; [1991] 2 W.L.R. 1234; [1991] 1 All E.R. 653, C.A. **Applied,** *Danae Air Transport S.A. v. Air Canada* [2000] 1 W.L.R. 395, C.A.

Kirklees Metropolitan Borough Council v. Field (1997) 96 L.G.R. 151, D.C. **Overruled,** *R. v. Falmouth and Truro Port Health Authority, Ex parte South West Water Ltd.* [2000] 3 W.L.R. 1464, C.A.

Kitchen v. Royal Air Force Association [1958] 1 W.L.R. 563; [1958] 2 All E.R. 241, C.A. **Considered,** *Charles v. Hugh James Jones & Jenkins* [2000] 1 W.L.R. 1278, C.A.

Kleinwort Benson Ltd. v. Glasgow City Council [1999] 1 A.C. 153; [1997] 3 W.L.R. 923; [1997] 4 All E.R. 641, H.L.(E.). **Followed,** *AIG Europe (UK) Ltd. v. The Ethniki* [2000] 2 All E.R. 566, C.A.

Knott v. Blackburn [1944] K.B. 77; [1944] 1 All E.R. 116, D.C. **Applied,** *Talbot v. Director of Public Prosecutions* [2000] 1 W.L.R. 1102, D.C.

Knox v. Gye (1872) L.R. 5 H.L. 656, H.L.(E.). **Considered,** *Coulthard v. Disco Mix Club Ltd.* [2000] 1 W.L.R. 707

Koch v. Dicks [1933] 1 K.B. 307, C.A. **Considered,** *Raiffeisen Zentralbank Österreich A.G. v. Crossseas Shipping Ltd.* [2000] 1 W.L.R. 1135, C.A.

Kraaijeveld B.V. (Aannemersbedrijf P.K.) v. Gedeputeerde Staten van Zuid-Holland (Case C-72/95) [1996] E.C.R. I-5403, 5450–5451, paras. 50–53, E.C.J. **Dicta applied,** *Commission of the European Communities v. Ireland* (Case C-392/96) [2000] Q.B. 636; [2000] 2 W.L.R. 958, E.C.J.

Kurtz v. Spence (1888) 5 R.P.C. 161. **Overruled,** *Unilever Plc. v. The Procter & Gamble Co.* [2000] 1 W.L.R. 2436, C.A.

Kuruma v. The Queen [1955] A.C. 197; [1955] 2 W.L.R. 223; [1955] 1 All E.R. 236, P.C. **Considered,** *Memory Corpn. Plc. v. Sidhu (No. 2)* [2000] 1 W.L.R. 1443, C.A.

L. (A Minor) (Police Investigation: Privilege), *In re* [1997] A.C. 16; [1996] 2 W.L.R. 395; [1996] 2 All E.R. 78, H.L.(E.). **Considered,** *S. County Council v. B.* [2000] Fam. 76; [2000] 3 W.L.R. 53

LTU Lufttransportunternehmen G.m.b.H. & Co. K.G. v. Eurocontrol (Case 29/76) [1976] E.C.R. 1541, E.C.J. **Distinguished,** *R. v. Harrow Crown Court, Ex parte UNIC Centre S.A.R.L.* [2000] 1 W.L.R. 2112

Ladd v. Marshall [1954] 1 W.L.R. 1489; [1954] 3 All E.R. 745, C.A. **Considered,** *Charlesworth v. Relay Roads Ltd.* [2000] 1 W.L.R. 230; *Hertfordshire Investments Ltd. v. Bubb* [2000] 1 W.L.R. 2318, C.A.

Ladup Ltd. v. Williams & Glyn's Bank Plc. [1985] 1 W.L.R. 851; [1985] 2 All E.R. 577. **Applied,** *Croydon (Unique) Ltd. v. Wright (Crombie Intervening)* [2000] 2 W.L.R. 683, C.A.

Lam Chi-ming v. The Queen [1991] 2 A.C. 212; [1991] 2 W.L.R. 1982; [1991] 3 All E.R. 172, P.C. **Applied,** *Timothy v. The State* [2000] 1 W.L.R. 485, P.C.

Lancashire County Council v. B. [2000] 2 A.C. 147; [2000] 2 W.L.R. 346, C.A. **Decision of the Court of Appeal affirmed** [2000] 2 A.C. 147; [2000] 2 W.L.R. 590, H.L.(E.)

Landau (A Bankrupt), *In re* [1998] Ch. 223; [1997] 3 W.L.R. 225; [1997] 3 All E.R. 322. **Approved,** *Krasner v. Dennison* [2000] 3 W.L.R. 720, C.A.

Landcatch Ltd. v. International Oil Pollution Compensation Fund [1998] 2 Lloyd's Rep. 552. **Applied,** *P. & O. Scottish Ferries Ltd. v. Braer Corpn.* [1999] 2 Lloyd's Rep. 535

Landsorganisationen i Danmark v. Ny Mølle Kro (Case 287/96) [1989] I.C.R. 330; [1987] E.C.R. 5465, E.C.J. **Applied,** *Allen v. Amalgamated Construction Co. Ltd.* (Case C-234/98) [2000] I.C.R. 436, E.C.J.

Lane v. Esdaile [1891] A.C. 210, H.L.(E.). **Applied,** *R. v. Secretary of State for Trade and Industry, Ex parte Eastaway* [2000] 1 W.L.R. 2222, H.L.(E.). **Considered,** *Henry Boot Construction (U.K.) Ltd. v. Malmaison Hotel (Manchester) Ltd.* [2000] 3 W.L.R. 1824, C.A.

Lassman v. Secretary of State for Trade and Industry [1996] I.C.R. 416, E.A.T. **Decision of the Court of Appeal reversed** [2000] I.C.R. 1109, C.A.

Law Society v. KPMG Peat Marwick [2000] 1 All E.R. 515. **Decision of Sir Richard Scott V.-C. affirmed** [2000] 1 W.L.R. 1921, C.A.

Leakey v. National Trust for Places of Historic Interest or Natural Beauty [1980] Q.B. 485; [1980] 2 W.L.R. 65; [1980] 1 All E.R. 17, C.A. **Applied,** *Holbeck Hall Hotel Ltd. v. Scarborough Borough Council* [2000] Q.B. 836; [2000] 2 W.L.R. 1396, C.A. **Considered,** *Bybrook Barn Garden Centre Ltd. v. Kent County Council* [2000] L.G.R. 302

Ledernes Hovedorganisation v. Dansk Arbejdsgiverforening (Rygaard's Case) (Case C-48/94) [1996] I.C.R. 333; [1995] E.C.R. I-2745, E.C.J. **Applied,** *Allen v. Amalgamated Construction Co. Ltd.* (Case C-234/98) [2000] I.C.R. 436, E.C.J.

Levez v. T. H. Jennings (Harlow Pools) Ltd. (Case C-326/96) [1999] I.C.R. 521, 545–546, paras. 43–48, E.C.J. **Applied,** *Levez v. T. H. Jennings (Harlow Pools) Ltd.* [2000] I.C.R. 58, E.A.T. **Dicta applied,** *Preston v. Wolverhampton Healthcare N.H.S. Trust* (Case C-78/98) [2000] I.C.R. 961, E.C.J.

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M. (Abduction: Peremptory Return Order), *In re* [1996] 1 F.L.R. 478, C.A. **Considered,** *Osman v. Elasha* [2000] Fam. 62; [2000] 2 W.L.R. 1036, C.A.

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Mahon v. Rahn (No. 2) [1999] 2 All E.R. (Comm.) 789. **Decision of Eady J. reversed** [2000] 1 W.L.R. 2150, C.A.

Manchanda v. Manchanda [1995] 2 F.L.R. 590, C.A. **Applied,** *Dennis v. Dennis* [2000] 3 W.L.R. 1443

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Midland Bank Plc. v. Madden [2000] I.R.L.R. 288; [2000] 2 All E.R. 741, E.A.T. **Considered,** *Beedell v. West Ferry Printers Ltd.* [2000] I.C.R. 1263, E.A.T.

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Milner, *Ex parte; In re* Milner (1885) 15 Q.B.D. 605, C.A. **Distinguished,** *Clarion Ltd. v. National Provident Institution* [2000] 1 W.L.R. 1888

Mihalis Angelos, The [1971] 1 Q.B. 164; [1970] 3 W.L.R. 601; [1970] 3 All E.R. 125; [1970] 2 Lloyd's Rep. 43, C.A. **Applied,** *B.S. & N. Ltd. (BVI) v. Micado Shipping Ltd. (Malta)* [2000] 2 Lloyd's Rep. 37

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Ministero delle Finanze v. SPAC S.p.A. (Case C-260/96) [1998] E.C.R. I-4997, 5019–5020, paras. 19–21, E.C.J. **Dicta applied,** *Aprile S.r.l. v. Amministrazione delle Finanze dello Stato (No. 2)* (Case C-228/96) [2000] 1 W.L.R. 126, E.C.J.

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Mohamed v. Alaga & Co. [2000] 1 W.L.R. 1815; [1999] 3 All E.R. 699, C.A. **Considered,** *Awwad v. Geraghty & Co.* [2000] 3 W.L.R. 1815, C.A.

Mölnlycke A.B. v. Procter & Gamble Ltd. [1992] 1 W.L.R. 1112, 1117; [1992] 4 All E.R. 47, C.A. **Dicta of Dillon L.J. doubted,** *Pearce v. Ove Arup Partnership Ltd.* [2000] Ch. 403; [2000] 3 W.L.R 332, C.A.

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Morgans v. Director of Public Prosecutions [1999] 1 W.L.R. 968, D.C. **Decision of the Divisional Court of the Queen's Bench Division reversed in part** [2000] 2 W.L.R. 386, H.L.(E.)

Morley v. Tattersall [1938] 3 All E.R. 296; 21 T.C. 51, C.A. **Distinguished,** *Tapemaze Ltd. v. Melluish* (2000) T.C. Leaflet No. 3602

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N.S. Distribution Ltd., *In re* [1990] B.C.L.C. 169, 171. **Dicta of Harman J. considered,** *In re T. & D. Industries Plc.* [2000] 1 W.L.R. 646

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Neale v. Hereford and Worcester County Council [1986] I.C.R. 471, C.A. **Applied,** *Beedell v. West Ferry Printers Ltd.* [2000] I.C.R. 1263, E.A.T.; *Foley v. Post Office* [2000] I.C.R. 1283, C.A.

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Nelson v. Rye [1996] 1 W.L.R. 1378; [1996] 2 All E.R. 186. **Not followed,** *Coulthard v. Disco Mix Club Ltd.* [2000] 1 W.L.R. 707

Netherlands State v. Rüffer (Case 814/79) [1980] E.C.R. 3807, E.C.J. **Distinguished,** *R. v. Harrow Crown Court, Ex parte UNIC Centre S.A.R.L.* [2000] 1 W.L.R. 2112

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Nugent v. Michael Goss Aviation Ltd. [2000] 2 Lloyd's Rep. 222, C.A. **Considered,** *MSC Mediterranean Shipping Co. S.A. v. Delumar BVBA* [2000] 2 Lloyd's Rep. 399

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O. (Restraint Order: Disclosure of Assets), *In re* [1991] 2 Q.B. 520, 528; [1991] 2 W.L.R. 475; [1991] 1 All E.R. 330, C.A. **Dictum of Lord Donaldson of Lymington M.R. applied,** *Director of Public Prosecutions v. Scarlett* [2000] 1 W.L.R. 515, C.A.

OLL Ltd. v. Secretary of State for Transport [1997] 3 All E.R. 897. **Distinguished,** *Kent v. Griffiths* [2000] 2 W.L.R. 1158, C.A.

Oakes v. Comr. of Stamp Duties of New South Wales [1954] A.C. 57; [1953] 3 W.L.R. 1127; [1953] 2 All E.R. 1563, P.C. **Considered,** *Fuller v. Evans* [2000] 1 All E.R. 636

Olliet v. Bessey (1682) T. Jones' Rep. 214. **Distinguished,** *R. v. Governor of Brockhill Prison, Ex parte Evans (No. 2)* [2000] 3 W.L.R. 843, H.L.(E.)

Olotu v. Home Office [1997] 1 W.L.R. 328; [1997] 1 All E.R. 385, C.A. **Distinguished,** *R. v. Governor of Brockhill Prison, Ex parte Evans (No. 2)* [2000] 3 W.L.R. 843, H.L.(E.)

O'Neill v. Symm & Co. Ltd. [1998] I.C.R. 481, E.A.T. **Considered,** *H. J. Heinz Co. Ltd. v. Kenrick* [2000] I.C.R. 491, E.A.T.

O'Reilly v. Mackman [1983] 2 A.C. 237; [1982] 3 W.L.R. 1096; [1982] 3 All E.R. 1124, H.L.(E.). **Considered,** *Steed v. Secretary of State for the Home Department* [2000] 1 W.L.R. 1169, H.L.(E.); *Clark v. University of Lincolnshire and Humberside* [2000] 1 W.L.R. 1988, C.A.

Orkem v. Commission of the European Communities (Case 374/87) [1989] E.C.R. 3283, E.C.J. **Considered,** *Official Receiver v. Stern* [2000] 1 W.L.R. 2230, Sir Richard Scott V.-C. and C.A.

Otto B.V. v. Postbank N.V. (Case C-60/92) [1993] E.C.R. I-5683, E.C.J. **Considered,** *Official Receiver v. Stern* [2000] 1 W.L.R. 2230, Sir Richard Scott V.-C. and C.A.

Overseas Tankship (U.K.) Ltd. v. Miller Steamship Co. Pty. (The Wagon Mound No. 2) [1967] 1 A.C. 617, 642; [1966] 3 W.L.R. 498; [1966] 2 All E.R. 709, P.C. **Dictum of Lord Reid applied,** *Jolley v. Sutton London Borough Council* [2000] 1 W.L.R. 1082, H.L.(E.)

Overseas Tankship (U.K.) Ltd. v. Morts Docks and Engineering Co. Ltd. (The Wagon Mound) [1961] A.C. 388; [1961] 2 W.L.R. 126; [1961] 1 All E.R. 404, P.C. **Considered,** *Jolley v. Sutton London Borough Council* [2000] 1 W.L.R. 1082, H.L.(E.)

Page v. Page (1981) 2 F.L.R. 198, C.A. **Considered,** *White v. White* [2000] 3 W.L.R. 1571, H.L.(E.)

Pallant v. Morgan [1953] Ch. 43; [1952] 2 All E.R. 591. **Applied,** *Banner Homes Group Plc. v. Luff Developments Ltd.* [2000] Ch. 372; [2000] 2 W.L.R. 772, C.A.

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Paragon Finance Plc. v. D. B. Thackerar & Co. [1999] 1 All E.R. 400, C.A. **Considered,** *Coulthard v. Disco Mix Club Ltd.* [2000] 1 W.L.R. 707

Parfums Christian Dior S.A. v. Evora B.V. (Case C-337/95) [1997] E.C.R. I-6013, E.C.J. **Applied,** *Sebago Inc. v. GB-Unic S.A.* (Case C-173/98) [2000] Ch. 558; [2000] 2 W.L.R. 1341, E.C.J.

Park, *In re;* Cole v. Park (1889) 41 Ch.D. 326, C.A. **Applied,** *Turner & Co. v. O. Palomo S.A.* [2000] 1 W.L.R. 37, C.A.

Parker-Tweedale v. Dunbar Bank Plc. (No. 2) [1991] Ch. 26; [1990] 3 W.L.R. 780; [1990] 2 All E.R. 588, C.A. **Considered,** *Holder v. Supperstone* [2000] 1 All E.R. 473

Parry v. Cleaver [1970] A.C. 1; [1969] 2 W.L.R. 821; [1969] 1 All E.R. 555, H.L.(E.). **Applied,** *Arab Bank Plc. v. John D. Wood Commercial Ltd.* [2000] 1 W.L.R. 857, C.A.

Partenreederei ms. Tilly Russ v. Haven & Vervoegedrijif Nova N.V. (Case 71/83) [1985] Q.B. 931; [1985] 3 W.L.R. 179, EC.J. **Applied,** *Glencore International A.G. v. Metro Trading International Inc.* [1999] 2 Lloyd's Rep. 632

Pearce v. Ove Arup Partnership Ltd. [1997] Ch. 293; [1997] 2 W.L.R. 779; [1997] 3 All E.R. 31. **Decision of Lloyd J. reversed** [2000] Ch. 403; [2000] 3 W.L.R. 332, C.A.

Peek v. Derry (1887) 37 Ch.D. 541, C.A. **Applied,** *Standard Chartered Bank v. Pakistan National Shipping Corpn. (No. 4)* [2000] 3 W.L.R. 1692, C.A.

Pennell v. Payne [1995] Q.B. 192; [1995] 2 W.L.R. 261; [1995] 2 All E.R. 592, C.A. **Approved,** *Barrett v. Morgan* [2000] 2 A.C. 264; [2000] 2 W.L.R. 284, H.L.(E.)

Peters, *In re* [1988] Q.B. 871; [1988] 3 W.L.R. 182; [1988] 3 All E.R. 46, C.A. **Considered,** *In re P. (Restraint Order: Sale of Assets)* [2000] 1 W.L.R. 473, C.A.

Phelps v. Hillingdon London Borough Council [1999] 1 W.L.R. 500; [1999] 1 All E.R. 421, C.A. **Decision of the Court of Appeal reversed** [2000] 3 W.L.R. 776, H.L.(E.)

Phillips v. Eyre (1870) L.R. 6 Q.B. 1. **Considered,** *Pearce v. Ove Arup Partnership Ltd.* [2000] Ch. 403; [2000] 3 W.L.R. 332, C.A.

Piglowska v. Piglowski [1999] 1 W.L.R. 1360; [1999] 3 All E.R. 632, H.L.(E.). **Considered,** *White v. White* [2000] 3 W.L.R. 1571, H.L.(E.)

Pigot's Case (1614) 11 Co.Rep. 26b. **Considered,** *Raiffeisen Zentralbank Österreich A.G. v. Crossseas Shipping Ltd.* [2000] 1 W.L.R. 1135, C.A.

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Powell v. McFarlane (1977) 38 P. & C.R. 452, 470–471, 476–477. **Dicta of Slade J. applied,** *J. A. Pye (Oxford) Ltd. v. Graham* [2000] Ch. 676; [2000] 3 W.L.R. 242

Powerstore (Trading) Ltd., *In re* [1997] 1 W.L.R. 1280; [1998] 1 All E.R. 121. **Considered,** *In re Norditrack (U.K.) Ltd.* [2000] 1 W.L.R. 343 .

Practice Direction (Criminal Appeals: Summaries) [1992] 1 W.L.R. 938; [1992] 4 All E.R. 408, C.A. **Amended,** *Practice Direction (Criminal Appeals: Summaries) (No. 2)* [2000] 1 W.L.R. 1177, C.A.

Practice Direction (Crown Court: Allocation of Business) [1995] 1 W.L.R. 1083; [1995] 2 All E.R. 900. **Amended,** *Practice Direction (Crown Court: Allocation of Business) (No. 3)* [2000] 1 W.L.R. 203

Practice Direction (Family Proceedings: Allocation and Costs) [1999] 1 W.L.R. 1128; [1998] 3 All E.R. 192. **Extended,** *Practice Direction (Family Proceedings: Costs)* [2000] 1 W.L.R. 1781

Practice Direction (Family Proceedings: Case Management) [1995] 1 W.L.R. 332. **Paragraphs 5 and 8 replaced,** *Practice Direction (Family Proceedings: Court Bundles)* [2000] 1 W.L.R. 737

Practice Direction (Justices: Clerk to Court) [1981] 1 W.L.R. 1163; [1981] 2 All E.R. 831. **Revoked,** *Practice Direction (Justices: Clerk to Court)* [2000] 1 W.L.R. 1886

Practice Statement (Supreme Court: Judgments) [1998] 1 W.L.R. 825; [1998] 2 All E.R. 667. **Considered,** *Prudential Assurance Co. Ltd. v. McBains Cooper* [2000] 1 W.L.R. 2000, C.A.

Pratt v. Attorney-General for Jamaica [1994] 2 A.C. 1; [1993] 3 W.L.R. 995; [1993] 4 All E.R. 769, P.C. **Applied,** *Lewis v. Attorney-General of Jamaica* [2000] 3 W.L.R. 1785, P.C. **Distinguished,** *Higgs v. Minister of National Security* [2000] 2 A.C. 228; [2000] 2 W.L.R 1368, P.C.

Preston v. Preston [1982] Fam. 17; [1981] 3 W.L.R. 619; [1982] 1 All E.R. 41, C.A. **Considered,** *White v. White* [2000] 3 W.L.R. 1571, H.L.(E.)

Preston v. Wolverhampton Healthcare N.H.S. Trust [1998] 1 W.L.R. 280; [1998] I.C.R. 227; [1998] 1 All E.R. 528, H.L.(E.). **Considered,** *Young v. National Power Plc.* [2000] I.C.R. 78, E.A.T.

Prison Service v. Johnson [1997] I.C.R. 275, E.A.T. **Followed,** *Gbaja-Biamila v. DHL International (UK) Ltd.* [2000] I.C.R. 730, E.A.T.

Pro Sieben Media A.G. v. Carlton U.K. Television Ltd. [1999] 1 W.L.R. 605, C.A. **Applied,** *Hyde Park Residence Ltd. v. Yelland* [2000] 3 W.L.R. 215, C.A.

Prudential Assurance Co. Ltd. v. London Residuary Body [1992] 2 A.C. 386; [1992] 3 W.L.R. 279; [1992] 3 All E.R. 504, H.L.(E.). **Considered,** *Receiver for the Metropolitan Police District v. Palacegate Properties Ltd.* [2000] 3 W.L.R. 519, C.A.

Purvis, *In re* [1997] 3 All E.R. 663, 669–670. **Dicta of Chadwick J. not followed,** *Smith (A Bankrupt) v. Ian Simpson & Co.* [2000] 3 W.L.R. 495, C.A.

R. (A Minor) (Blood Tests: Constraint), *In re* [1998] Fam. 66; [1998] 2 W.L.R. 796. **Not followed,** *In re O. (A Minor) (Blood Tests: Constraint)* [2000] Fam. 139; [2000] 2 W.L.R. 1284

R. v. Adomako [1995] 1 A.C. 171; [1994] 3 W.L.R. 288; [1994] 3 All E.R. 79, H.L.(E.). **Applied,** *Attorney-General's Reference (No. 2 of 1999)* [2000] Q.B. 796; [2000] 3 W.L.R. 195, C.A.

R. v. Annesley [1976] 1 W.L.R. 106; [1976] 1 All E.R. 589; 62 Cr.App.R. 113, C.A. **Applied,** *R. v. Tuegel* [2000] 2 Cr.App.R. 361, C.A.

R. v. Antoine [1999] 3 W.L.R. 1204, C.A. **Decision of the Court of Appeal (Criminal Division) affirmed** [2000] 2 W.L.R. 703, H.L.(E.)

R. v. Aziz [1996] A.C. 41; [1995] 3 W.L.R. 53; [1995] 3 All E.R. 149; [1995] 2 Cr.App.R. 478, H.L.(E.). **Applied,** *R. v. Martin (David)* [2000] 2 Cr.App.R. 42, C.A.

R. v. Baker [1962] 2 Q.B. 530; [1961] 3 W.L.R. 1205; [1961] 3 All E.R. 703, C.C.A. **Distinguished,** *R. v. Nelson* [2000] 3 W.L.R. 300, C.A.

R. v. Ball [1911] A.C. 47, 68, H.L.(E.). **Dictum of Lord Atkinson applied,** *Forbert v. The Queen* [2000] 1 W.L.R. 1716, P.C.

R. v. Bell [1998] Crim. L.R. 879, C.A. **Considered,** *R. v. Forbes* [1999] 2 Cr.App.R. 501, C.A.

R. v. Birmingham City Council, *Ex parte* Ferrero [1993] 1 All E.R. 530, C.A. **Considered,** *R. v. Falmouth and Truro Port Health Authority, Ex parte South West Water Ltd.* [2000] 3 W.L.R. 1464, C.A.

R. v. Bournewood Community and Mental Health N.H.S. Trust, *Ex parte* L. [1999] 1 A.C. 458; [1998] 3 W.L.R. 107; [1998] 3 All E.R. 289, H.L.(E.). **Applied,** *In re F. (Adult: Court's Jurisdiction)* [2000] 3 W.L.R. 1740, C.A.

R. v. Borthwick [1998] Crim. L.R. 274, C.A. **Applied,** *R. v. Weekes* [1999] 2 Cr.App.R. 520, C.A.

R. v. Bow Street Metropolitan Stipendiary Magistrate, *Ex parte* Pinochet Ugarte (No. 2) [2000] 1 A.C. 119; [1999] 2 W.L.R. 272; [1999] 1 All E.R. 577, H.L.(E.). **Applied,** *Locabail (U.K.) Ltd. v. Bayfield Properties Ltd.* [2000] Q.B. 451; [2000] 2 W.L.R. 870, C.A. **Considered,** *Laker Airways Inc. v. F.L.S. Aerospace Ltd.* [2000] 1 W.L.R. 113

R. v. Bow Street Metropolitan Stipendiary Magistrate, *Ex parte* South Coast Shipping Co. Ltd. [1993] Q.B. 645, 650; [1993] 2 W.L.R. 621; [1993] 1 All E.R. 219, D.C. **Dictum of Lloyd L.J. applied,** *R. v. Director of Public Prosecutions, Ex parte Duckenfield* [2000] 1 W.L.R. 55, D.C.

R. v. Brent London Borough Council, *Ex parte* Awua [1996] A.C. 55; [1995] 3 W.L.R. 215; [1995] 3 All E.R. 493, H.L.(E.). **Considered,** *Nipa Begum v. Tower Hamlets London Borough Council* [2000] 1 W.L.R. 306, C.A.

R. v. Brent London Borough Council, *Ex parte* D. (1997) 1 C.C.L.R. 234. **Overruled,** *R. v. Wandsworth London Borough Council, Ex parte O.* [2000] 1 W.L.R. 2539, C.A.

R. v. Bristol City Council, *Ex parte* Everett [1999] 1 W.L.R. 1170; [1999] 2 All E.R. 193, C.A. **Considered,** *Camden London Borough Council v. Gunby* [2000] 1 W.L.R. 465, D.C.

R. v. Bristol Justices, *Ex parte* E. [1999] 1 W.L.R. 390; [1998] 3 All E.R. 798, D.C. **Considered,** *R. v. Fennell* [2000] 1 W.L.R. 2011, C.A.

R. v. Brown [1991] Crim. L.R. 368, C.A. **Applied,** *R. v. Forbes* [1999] 2 Cr.App.R. 501, C.A.

R. v. Brown (Kevin) (1983) 79 Cr.App.R. 115, C.A. **Applied,** *R. v. Boreman* [2000] 1 All E.R. 307, C.A.

R. v. Bowden (Jonathan) [2000] 2 W.L.R. 1083; [2000] 2 All E.R. 418, C.A. **Applied,** *Atkins v. Director of Public Prosecutions* [2000] 1 W.L.R. 1427, D.C.

R. v. Buswell [1972] 1 W.L.R. 64; [1972] 1 All E.R. 75, C.A. **Considered,** *Atkins v. Director of Public Prosecutions* [2000] 1 W.L.R. 1427, D.C.

R. v. Cain [1985] A.C. 46; [1984] 3 W.L.R. 393; [1984] 2 All E.R. 737, H.L.(E.). **Considered,** *R. v. Maidstone Crown Court, Ex parte Harrow London Borough Council* [2000] Q.B. 719; [2000] 2 W.L.R. 237, D.C.

R. v. Cairns [1999] 2 Cr.App.R. 137, C.A. **Applied,** *R. v. Martin (David)* [2000] 2 Cr.App.R. 42, C.A.

R. v. Cambridge Health Authority, *Ex parte* B. [1995] 1 W.L.R. 898; [1995] 2 All E.R. 129, C.A. **Applied,** *R. v. North West Lancashire Health Authority, Ex parte A.* [2000] 1 W.L.R. 977, C.A.

R. v. Camplin [1978] A.C. 705; [1978] 2 W.L.R. 679; [1978] 2 All E.R. 168, H.L.(E.). **Considered,** *R. v. Smith (Morgan)* [2000] 3 W.L.R. 654, H.L.(E.)

R. v. Central Criminal Court, *Ex parte* Abu-Wardeh [1998] 1 W.L.R. 1083; [1997] 1 All E.R. 159; [1999] 1 Cr.App.R. 43, D.C. **Considered,** *R. v. Sheffield Crown Court, Ex parte Headley* [2000] 2 Cr.App.R. 1, D.C.

R. v. Chalkley [1998] Q.B. 848; [1998] 3 W.L.R. 146; [1998] 2 All E.R. 155; [1998] 2 Cr.App.R. 79, C.A. **Considered,** *R. v. Thomas (Matthew)* [2000] 1 Cr.App.R. 447, C.A.

R. v. Chief Constable of the North Wales Police, *Ex parte* AB [1999] Q.B. 396; [1998] 3 W.L.R. 57; [1998] 3 All E.R. 310, C.A. **Considered,** *Woolgar v. Chief Constable of Sussex Police* [2000] 1 W.L.R. 25, C.A.

R. v. Chief Constable of the Thames Valley Police, *Ex parte* Cotton [1990] I.R.L.R. 344, C.A. **Applied,** *R. v. Broxtowe Borough Council, Ex parte Bradford* [2000] L.G.R. 386, C.A.

R. v. Chief Constable of the Warwickshire Constabulary, *Ex parte* Fitzpatrick [1999] 1 W.L.R. 564; [1998] 1 All E.R. 65, D.C. **Doubted,** *R. v. Chesterfield Justices, Ex parte Bramley* [2000] Q.B. 576; [2000] 2 W.L.R. 409, D.C.

R. v. Clarence (1888) 22 Q.B.D. 23. **Applied,** *R. v. Tabassum* [2000] 2 Cr.App.R. 328, C.A.

R. v. Clarke [1969] 2 Q.B. 91; [1969] 2 W.L.R. 505; [1969] 1 All E.R. 924, C.A. **Distinguished,** *R. v. Special Comr. of Income Tax, Ex parte Inland Revenue Comrs.* (2000) T.C. Leaflet No. 3613

R. v. Clinton [1993] 1 W.L.R. 1181 [1993] 2 All E.R. 998; 97 Cr.App.R. 320, C.A. **Considered,** *R. v. Ullah* [2000] 1 Cr.App.R. 351, C.A.

R. v. Cobham Hall School, *Ex parte* S. [1998] E.L.R. 389. **Considered,** *R. v. Muntham House School, Ex parte R.* [2000] L.G.R. 255

R. v. Collins (1994) 16 Cr.App.R.(S.) 156, C.A. **Overruled,** *R. v. Secretary of State for the Home Department, Ex parte A.* [2000] 2 A.C. 276; [2000] 2 W.L.R. 293, H.L.(E.)

R. v. Cox (Peter Stanley) [1968] 1 W.L.R. 88; [1968] 1 All E.R. 410; 52 Cr.App.R. 106, C.A. **Considered,** *R. v. Naini* [1999] 2 Cr.App.R. 398, C.A.

R. v. Cuthbertson [1981] A.C. 470; [1980] 3 W.L.R. 89; [1980] 2 All E.R. 401, H.L.(E.). **Considered,** *R. v. Attorney-General, Ex parte Rockall* [2000] 1 W.L.R. 882

R. v. Denbigh Justices, *Ex parte* Williams [1974] Q.B. 759; [1974] 3 W.L.R. 45; [1974] 2 All E.R. 1052, D.C. **Distinguished,** *Storer v. British Gas Plc.* [2000] 1 W.L.R. 1237; [2000] I.C.R. 603, C.A.

R. v. Department of Health, *Ex parte* Source Informatics Ltd. [1999] 4 All E.R. 185. **Decision of Latham J. reversed** [2000] 2 W.L.R. 940, C.A.

R. v. Derby Magistrates' Court, *Ex parte* B. [1996] A.C. 487; [1995] 3 W.L.R. 681; [1995] 4 All E.R. 526, H.L.(E.). **Applied,** *S. County Council v. B.* [2000] Fam. 76; [2000] 3 W.L.R. 53. **Considered,** *General Mediterranean Holdings S.A. v. Patel* [2000] 1 W.L.R. 272

R. v. Devon County Council, *Ex parte* Baker [1995] 1 All E.R. 73, C.A. **Distinguished,** *R. v. Falmouth and Truro Port Health Authority, Ex parte South West Water Ltd.* [2000] 3 W.L.R. 1464, C.A.

R. v. Director of Serious Fraud Office, *Ex parte* Smith [1993] A.C. 1; [1992] 3 W.L.R. 66; [1992] 3 All E.R. 456, H.L.(E.). **Considered,** *R. v. Hertfordshire County Council, Ex parte Green Environmental Industries Ltd.* [2000] 2 W.L.R. 373, H.L.(E.)

R. v. Doherty (Note) [1971] 1 W.L.R. 1454; [1971] 3 All E.R. 622, C.A. **Considered,** *R. v. Dixon* [2000] 1 W.L.R. 782, C.A.

R. v. Donnelly [1998] Crim.L.R. 131, C.A. **Considered,** *R. v. Ullah* [2000] 1 Cr.App.R. 351, C.A.

R. v. Duncan (1981) 73 Cr.App.R. 359, C.A. **Applied,** *Von Starck v. The Queen* [2000] 1 W.L.R. 1270, P.C.

R. v. Eastleigh Borough Council, *Ex parte* Betts [1983] 2 A.C. 613, 627; [1983] 3 W.L.R. 397; [1983] 2 All E.R. 1111, H.L.(E.). **Dicta of Lord Brightman considered,** *Ealing London Borough Council v. Surdonja* [2000] 3 W.L.R. 481, C.A.

R. v. Edwards [1991] 1 W.L.R. 207; [1991] 2 All E.R. 266; 93 Cr.App.R. 48, C.A. **Applied,** *R. v. Twitchell* [2000] 1 Cr.App.R. 373, C.A.; *R. v. Malik (Waseem)* [2000] 2 Cr.App.R. 8, C.A.

R. v. Egan (Michael) [1998] 1 Cr.App.R. 121, C.A. **Overruled,** *R. v. Antoine* [2000] 2 W.L.R. 703, H.L.(E.)

R. v. Fernhill Manor School, *Ex parte* A. [1993] 1 F.L.R. 620. **Considered,** *R. v. Muntham House School, Ex parte R.* [2000] L.G.R. 255

R. v. Flattery (1877) 2 Q.B.D. 410. **Applied,** *R. v. Tabassum* [2000] 2 Cr.App.R. 328, C.A.

R. v. Forbes [1999] 2 Cr.App.R. 501, C.A. **Not followed,** *R. v. Popat (No. 2)* [2000] 1 Cr.App.R. 387, C.A. **Distinguished,** *R. v. Nicholson (Andrew)* [2000] 1 Cr.App.R. 182, C.A.

R. v. Forde [1923] 2 K.B. 400, C.C.A. **Considered,** *R. v. Thomas (Matthew)* [2000] 1 Cr.App.R. 447, C.A.

R. v. Fulham, Hammersmith and Kensington Rent Tribunal, *Ex parte* Zerek [1951] 2 K.B. 1; [1951] 1 All E.R. 482, D.C. **Considered,** *Grammer v. Lane* [2000] 2 All E.R. 245, C.A.

R. v. Gomez [1993] A.C. 442; [1992] 3 W.L.R. 1067; [1993] 1 All E.R. 1; 96 Cr.App.R. 359, H.L.(E.). **Followed,** *R. v. Hinks* [2000] 3 W.L.R. 1590, H.L.(E.). **Applied,** *R. v. Hinks* [2000] 1 Cr.App.R. 1, C.A.

R. v. Gough [1993] A.C. 646; [1993] 2 W.L.R. 883; [1993] 2 All E.R. 724, H.L.(E.). **Applied,** *Locabail (U.K.) Ltd. v. Bayfield Properties Ltd.* [2000] Q.B. 451; [2000] 2 W.L.R. 870, C.A.; *Nwabueze v. General Medical Council* [2000] 1 W.L.R. 1760, P.C. **Considered,** *Laker Airways Inc. v. F.L.S. Aerospace Ltd.* [2000] 1 W.L.R. 113

R. v. Governor of Brockhill Prison, *Ex parte* Evans [1997] Q.B. 443; [1997] 2 W.L.R. 236; [1997] 1 All E.R. 439, D.C. **Applied,** *R. v. Governor of Brockhill Prison, Ex parte Evans (No. 2)* [2000] 3 W.L.R. 843, H.L.(E.)

R. v. Governor of Brockhill Prison, *Ex parte* Evans (No. 2) [1999] Q.B. 1043; [1999] 2 W.L.R. 103; [1998] 4 All E.R. 933, C.A. **Decision of the Court of Appeal affirmed** [2000] 3 W.L.R. 843, H.L.(E.)

R. v. Governor of Pentonville Prison, *Ex parte* Osman [1990] 1 W.L.R. 277, 302; [1989] 3 All E.R. 701, D.C. **Dicta of Lloyd L.J. applied,** *Charron v. Government of the United States of America* [2000] 1 W.L.R. 1793, P.C.

R. v. Governor of Pentonville Prison, *Ex parte* Sinclair [1991] 2 A.C. 64; [1991] 2 W.L.R. 1028; [1991] 2 All E.R. 366, H.L.(E.). **Considered,** *R. v. Secretary of State for the Home Department, Ex parte Norgren* [2000] Q.B. 817; [2000] 3 W.L.R. 181, D.C.

R. v. Governor of Winchester Prison, *Ex parte* Roddie [1991] 1 W.L.R. 303; [1991] 2 All E.R. 431; 93 Cr.App.R. 190, D.C. **Considered,** *R. v. Sheffield Crown Court, Ex parte Headley* [2000] 2 Cr.App.R. 1, D.C.

R. v. Governors of Haberdashers' Aske's Hatcham College Trust, *Ex parte* T. [1995] E.L.R. 350. **Considered,** *R. v. Muntham House School, Ex parte R.* [2000] L.G.R. 255

R. v. Grant [1996] 1 Cr.App.R. 73, C.A. **Considered,** *R. v. Malik (Waseem)* [2000] 2 Cr.App.R. 8, C.A.

R. v. H. (Henry) [1998] 2 Cr.App.R. 161, C.A. **Considered,** *R. v. M. (Brian)* [2000] 1 Cr.App.R. 49, C.A.

R. v. H.M. Treasury, *Ex parte* British Telecommunications Plc. [1994] 1 C.M.L.R. 621, C.A. **Distinguished,** *R. v. Secretary of State for Health, Ex parte Imperial Tobacco Ltd.* [2000] 2 W.L.R. 834, C.A.

R. v. Harms (1944) 2 D.L.R. 61. **Applied,** *R. v. Tabassum* [2000] 2 Cr.App.R. 328, C.A.

R. v. Hazeltine [1967] 2 Q.B. 857; [1967] 3 W.L.R. 209; [1967] 2 All E.R. 671; 51 Cr.App.R. 351, C.A. **Applied,** *R. v. Yeardley* [2000] Q.B. 374; [2000] 2 W.L.R. 366, C.A.

R. v. Hertfordshire County Council, *Ex parte* Green Environmental Industries Ltd. (1997) 96 L.G.R. 417, C.A. **Decision of the Court of Appeal affirmed** [2000] 2 A.C. 412; [2000] 2 W.L.R. 373, H.L.(E.)

R. v. Hillingdon London Borough Council, *Ex parte* Royco Homes Ltd. [1974] 1 Q.B. 720; [1974] 2 W.L.R. 805; [1974] 2 All E.R. 643; 72 L.G.R. 516, D.C. **Applied**, *Leeds City Council v. Spencer* [2000] L.G.R. 68, C.A.

R. v. Hinks [2000] 1 Cr.App.R. 1, C.A. **Decision of the Court of Appeal (Criminal Division) affirmed** [2000] 3 W.L.R. 1590, H.L.(E.)

R. v. Hodgson (1968) 52 Cr.App.R. 113, C.A. **Applied,** *R. v. Chapman* [2000] 1 Cr.App.R. 77, C.A.

R. v. Humphrys [1977] A.C. 1; [1976] 2 W.L.R. 857; [1976] 2 All E.R. 497, H.L.(E.). **Considered,** *R. v. Z* [2000] 2 A.C. 483; [2000] 3 W.L.R. 117, H.L.(E.)

R. v. Immigration Appeal Tribunal, *Ex parte* Nichalapillai [1998] Imm.A.R. 232. **Overruled,** *R. v. Secretary of State for the Home Department, Ex parte Jeyeanthan* [2000] 1 W.L.R. 354, C.A.

R. v. Income Tax Special Comr., *Ex parte* Stipplechoice Ltd. [1985] 2 All E.R. 465; 59 T.C. 396. **Considered,** *R . v. Dickinson, Ex parte McGuckian* (1999) T.C. Leaflet No 3596, C.A. (N.I.)

R. v. Ingle (1974) 59 Cr.App.R. 306, C.A. **Applied,** *R. v. Tuegel* [2000] 2 Cr.App.R. 361, C.A.

R. v. Inland Revenue Comrs., *Ex parte* Preston [1985] A.C. 835; [1985] 2 W.L.R. 836; [1985] 2 All E.R. 327, H.L.(E.). **Applied,** *R. v. North and East Devon Health Authority, Ex parte Coughlan* [2000] 2 W.L.R. 622, C.A.

R. v. Inland Revenue Comrs., *Ex parte* Rossminster Ltd. [1980] A.C. 952; [1980] 2 W.L.R. 1; [1980] 1 All E.R. 80, H.L.(E.). **Followed,** *R. v. Middlesex Guildhall Crown Court, Ex parte Tamosius & Partners* [2000] 1 W.L.R. 453, D.C.

R. v. Inland Revenue Comrs., *Ex parte* Unilever Plc. [1996] S.T.C. 681, C.A. **Applied,** *R. v. North and East Devon Health Authority, Ex parte Coughlan* [2000] 2 W.L.R. 622, C.A.

R. v. Inspector of Taxes, *Ex parte* Bass Holdings Ltd. [1993] S.T.C. 122; 65 T.C. 495. **Considered.** *Schuldenfrei v. Hilton* (1999) 72 T.C. 167R. v. Inspector of Taxes, *Ex parte* Kissane [1986] 2 All E.R. 37. **Considered,** *R. v. Dickinson, Ex parte McGuckian* (1999) T.C. Leaflet No. 3596, C.A. (N.I.)

R. v. Ipswich Crown Court, *Ex parte* Baldwin (Note) [1981] 1 All E.R. 596, D.C. **Distinguished,** *Sunworld Ltd. v. Hammersmith and Fulham London Borough Council* [2000] 1 W.L.R. 2102, D.C.

R. v. Ipswich Justices, *Ex parte* Robson [1971] 2 Q.B. 340; [1971] 3 W.L.R. 102; [1971] 2 All E.R. 1395; [1971] R.T.R. 339, D.C. **Considered,** *Secretary of State for the Environment, Transport and the Regions v. Elsy* [2000] R.T.R. 29

R. v. Kelly (Edward) [2000] Q.B. 198; [1999] 2 W.L.R. 1100; [1999] 2 All E.R. 13, C.A. **Considered,** *R. v. Buckland* [2000] 1 W.L.R. 1262, C.A.

R. v. Kelt [1994] 1 W.L.R. 765; [1994] 2 All E.R. 780, C.A. **Distinguished,** *Attorney-General's Reference (No. 3 of 1999)* [2000] 3 W.L.R. 1164, C.A.

R. v. Kendrick [1997] 2 Cr.App.R. 524, C.A. **Followed,** *R. v. Hinks* [2000] 1 Cr.App.R. 1, C.A.

R. v. Lawrence (1989) 26 J.L.R. 273, 280. **Dictum of Gordon J.A.(Ag.) disapproved,** *Von Starck v. The Queen* [2000] 1 W.L.R. 1270, P.C.

R. v. Lawrence (Alan) [1972] A.C. 626; [1971] 3 W.L.R. 225; [1971] 2 All E.R. 1253; 55 Cr.App.R. 471, H.L.(E.). **Followed,** *R. v. Hinks* [2000] 3 W.L.R. 1590, H.L.(E.). **Applied,** *R. v. Hinks* [2000] 1 Cr.App.R. 1, C.A.

R. v. Lee [1993] 1 W.L.R. 103; [1993] 2 All E.R. 170, C.A. **Applied,** *R. v. Manchester Crown Court, Ex parte H. (A Minor)* [2000] 1 W.L.R. 760, D.C.

R. v. Legal Aid Board, *Ex parte* Parsons [1999] 3 All E.R. 347, C.A. **Considered,** *R. v. Legal Aid Board Area No. 1 (London) Appeal Committee, Ex parte McCormick* [2000] 1 W.L.R. 1804

R. v. Legal Aid Board, *Ex parte* W. (Minors) [2000] 1 F.C.R. 165. **Decision of Scott Baker J. affirmed on different grounds** [2000] 1 W.L.R. 2502, C.A.

R. v. Leicester Crown Court, *Ex parte* S. (A Minor) (Note) [1993] 1 W.L.R. 111; [1992] 2 All E.R. 659, D.C. **Applied,** *R. v. Manchester Crown Court, Ex parte H. (A Minor)* [2000] 1 W.L.R. 760, D.C.

R. v. Lesley [1996] 1 Cr.App.R. 39, C.A. **Considered,** *R. v. Popat (No. 2)* [2000] 1 Cr.App.R. 387, C.A.

R. v. Local Comr. for Administration in North and North-East England, *Ex parte* Liverpool City Council [1999] 3 All E.R. 85. **Decision of Hooper J. affirmed** [2000] L.G.R. 571, C.A.

R. v. Lord Chancellor, *Ex parte* Lightfoot [2000] Q.B. 597; [1999] 2 W.L.R. 1126; [1998] 4 All E.R. 764. **Decision of Laws J. affirmed** [2000] Q.B. 597; [2000] 2 W.L.R. 318, C.A.

R. v. Lord Chancellor, *Ex parte* Witham [1998] Q.B. 575; [1998] 2 W.L.R. 849; [1997] 2 All E.R. 779, D.C. **Distinguished,** *R. v. Lord Chancellor, Ex parte Lightfoot* [2000] Q.B. 597; [2000] 2 W.L.R. 318, C.A.

R. v. Maidstone Crown Court, *Ex parte* Clark (Paul) [1995] 1 W.L.R. 831; [1995] 3 All E.R. 513, D.C. **Considered,** *R. v. Maidstone Crown Court, Ex parte Harrow London Borough Council* [2000] Q.B. 719; [2000] 2 W.L.R. 237, D.C.

R. v. Manchester Crown Court, *Ex parte* Director of Public Prosecutions [1993] 1 W.L.R. 1524; [1993] 4 All E.R. 928, H.L.(E.). **Considered,** *R. v. Maidstone Crown Court, Ex parte Harrow London Borough Council* [2000] Q.B. 719; [2000] 2 W.L.R. 237, D.C.

R. v. Manchester Crown Court, *Ex parte* McDonald [1999] 1 W.L.R. 841; [1999] 1 All E.R. 805, D.C. **Applied,** *R. v. Worcester Crown Court, Ex parte Norman* [2000] 3 All E.R. 267; [2000] 2 Cr.App.R. 33, D.C.

R. v. Manchester Stipendiary Magistrate, *Ex parte* Granada Television Ltd. [1999] Q.B. 1202; [1999] 2 W.L.R. 460, D.C. **Decision of the Divisional Court of the Queen's Bench Division reversed** [2000] 2 W.L.R. 1, H.L.(E.)

R. v. Manning [1999] Q.B. 980; [1999] 2 W.L.R. 430; [1998] 4 All E.R. 876; [1998] 2 Cr.App.R. 461, C.A. **Applied,** *R. v. Naini* [1999] 2 Cr.App.R. 398, C.A.

R. v. Medway [1976] Q.B. 779; [1976] 2 W.L.R. 528; [1976] 1 All E.R. 527, C.A. **Considered,** *R. v. Dixon* [2000] 1 W.L.R. 782, C.A.

R. v. Menocal [1980] A.C. 598; [1979] 2 W.L.R. 876; [1979] 2 All E.R. 510, H.L.(E.). **Distinguished,** *R. v. Tuegel* [2000] 2 All E.R. 872, C.A.

R. v. Merton London Borough Council, *Ex parte* Sembi, The Times, 9 June 1999. **Criticised,** *R. v. Newham London Borough Council, Ex parte Mashuda Begum* [2000] 2 All E.R. 72

R. v. Miller (Raymond) [1983] 1 W.L.R. 1056; [1983] 3 All E.R. 186. **Considered,** *Hazlett v. Sefton Metropolitan Borough Council* [2000] 4 All E.R. 887, D.C.

R. v. Ministry of Defence, *Ex parte* Smith [1996] Q.B. 517; [1996] 2 W.L.R. 305; [1996] 1 All E.R. 257, H.L.(E.). **Applied,** *R. v. Lord Saville of Newdigate, Ex parte A* [2000] 1 W.L.R. 1855, C.A.

R. v. Ministry of Defence, *Ex parte* Walker [1999] 1 W.L.R. 1209; [1999] 3 All E.R. 935, C.A. **Decision of the Court of Appeal affirmed** [2000] 1 W.L.R. 806, H.L.(E.)

R. v. Montgomery [1996] Crim.L.R. 507, C.A. **Considered,** *R. v. Nicholson (Andrew)* [2000] 1 Cr.App.R. 182, C.A.

R. v. Morgan [1976] A.C. 182; [1975] 2 W.L.R. 913; [1975] 2 All E.R. 347, H.L.(E.). **Applied,** *B. (A Minor) v. Director of Public Prosecutions* [2000] 2 A.C. 428; [2000] 2 W.L.R. 452, H.L.(E.)

R. v. Morris (David) [1984] A.C. 320; [1983] 3 W.L.R. 697; [1983] 3 All E.R. 288, H.L.(E.). **Considered,** *R. v. Hinks* [2000] 3 W.L.R. 1590, H.L.(E.)

R. v. Mullen [1999] 3 W.L.R. 777; [1999] 2 Cr.App.R. 143, C.A. **Considered,** *R. v. Thomas (Matthew)* [2000] 1 Cr.App.R. 447, C.A.

R. v. Naillie [1993] A.C. 674; [1993] 2 W.L.R. 927; [1993] 2 All E.R. 782, H.L.(E.). **Distinguished,** *R. v. Eyck* [2000] 1 W.L.R. 1389, C.A.

R. v. Nathaniel [1995] 2 Cr.App.R. 565, C.A. **Distinguished,** *Attorney-General's Reference (No. 3 of 1999)* [2000] 3 W.L.R. 1164, C.A.

R. v. National Insurance Comr., *Ex parte* Hudson [1972] A.C. 944; [1972] 1 W.L.R. 210; [1972] 1 All E.R. 145, H.L.(E.). **Considered,** *Chief Adjudication Officer v. Faulds* [2000] 1 W.L.R. 1035; [2000] I.C.R. 1297, H.L.(Sc.)

R. v. North and East Devon Health Authority, *Ex parte* Coughlan [2000] 2 W.L.R. 622, C.A. **Considered,** *R. v. North West Lancashire Health Authority, Ex parte A.* [2000] 1 W.L.R. 977, C.A.; *R. v. Secretary of State for Education and Employment, Ex parte Begbie* [2000] 1 W.L.R. 1115, C.A.

R. v. Ollis [1900] 2 Q.B. 758. **Applied,** *R. v. Z* [2000] 2 A.C. 483; [2000] 3 W.L.R. 117, H.L.(E.)

R. v. Owen [1999] 1 W.L.R. 949, C.A. **Overruled,** *Morgans v. Director of Public Prosecutions* [2000] 2 W.L.R. 386, H.L.(E.)

R. v. Pearce (Stephen) (1980) 72 Cr.App.R. 295, C.A. **Considered,** *R. v. Keyes* [2000] 2 Cr.App.R. 181, C.A.

R. v. Popat [1998] 2 Cr.App.R. 208, C.A. **Applied,** *R. v. Popat (No. 2)* [2000] 1 Cr.App.R. 387, C.A. **Considered,** *R. v. Nicholson (Andrew)* [2000] 1 Cr.App.R. 182, C.A. **Not followed**, *R. v. Forbes* [1999] 2 Cr.App.R. 501, C.A.

R. v. Potvin [1993] 2 S.C.R. 880. **Distinguished,** *Darmalingum v. The State* [2000] 1 W.L.R. 2303, P.C.

R. v. Powell (Anthony) [1999] 1 A.C. 1; [1997] 3 W.L.R. 959; [1997] 4 All E.R. 545, H.L.(E.). **Applied,** *Flowers v. The Queen* [2000] 1 W.L.R. 2396, P.C.

R. v. Preston [1994] 2 A.C. 130; [1993] 3 W.L.R. 891; [1993] 4 All E.R. 638, H.L.(E.). **Applied,** *Morgans v. Director of Public Prosecutions* [2000] 2 W.L.R. 386, H.L.(E.)

R. v. Pritchard (1836) 7 C. & P. 303. **Distinguished,** *R. v. Weekes* [1999] 2 Cr.App.R. 520, C.A.

R. v. Rasool [1997] 1 W.L.R. 1092; [1997] 4 All E.R. 439, C.A. **Overruled,** *Morgans v. Director of Public Prosecutions* [2000] 2 W.L.R. 386, H.L.(E.)

R. v. Richardson (Diane) [1999] Q.B. 444; [1998] 3 W.L.R. 1292; [1998] 2 Cr.App.R. 200, C.A. **Distinguished,** *R. v. Tabassum* [2000] 2 Cr.App.R. 328, C.A.

R. v. Richmond upon Thames London Borough Council, *Ex parte* Watson (1999) 2 C.C.L.R. 402. **Decision of Sullivan J. affirmed** [2000] 3 W.L.R. 1127, C.A.

R. v. Sang [1980] A.C. 402; [1979] 3 W.L.R. 263; [1979] 2 All E.R. 1222, H.L.(E.). **Applied,** *Nottingham City Council v. Amin* [2000] 1 W.L.R. 1071, D.C.

R. v. Saptal Ram, The Times, 7 December 1995, C.A. **Considered,** *R. v. Ullah* [2000] 1 Cr.App.R. 351, C.A.

R. v. Secretary of State for Employment, *Ex parte* Equal Opportunities Commission [1995] 1 A.C. 1; [1994] 2 W.L.R. 409; [1994] I.C.R. 317; [1994] 1 All E.R. 910, H.L.(E.). **Applied,** *R. v. South Bank University, Ex parte Coggeran* [2000] I.C.R. 1342, C.A.

R. v. Secretary of State for Employment, *Ex parte* Seymour-Smith [1995] I.C.R. 889, C.A. **Decision of the Court of Appeal reversed in part** [2000] 1 W.L.R. 435; [2000] I.C.R. 244, H.L.(E.)

R. v. Secretary of State for Employment, *Ex parte* Seymour-Smith [1997] 1 W.L.R. 473; [1997] 2 All E.R. 273, H.L.(E.). **Considered,** *R. v. Durham County Council, Ex parte Huddleston* [2000] 1 W.L.R. 1484, C.A.

R. v. Secretary of State for Health, *Ex parte* Richardson (Case C-137/94) [1996] I.C.R. 471; [1995] E.C.R. I–3407; [1995] All E.R. (E.C.) 865, E.C.J. **Applied,** *R. v. Secretary of State for Social Security, Ex p. Taylor* (Case C-382/98) [2000] I.C.R. 843, E.C.J.

R. v. Secretary of State for the Environment, *Ex parte* Nottinghamshire County Council [1986] A.C. 240; [1986] 2 W.L.R. 1; [1986] 1 All E.R. 199, H.L.(E.). **Applied,** *R. v. North and East Devon Health Authority, Ex parte Coughlan* [2000] 2 W.L.R. 622, C.A.

R. v. Secretary of State for the Home Department, *Ex parte* Ahmed [1998] I.N.L.R. 570, C.A. **Applied,** *R. v. Uxbridge Magistrates' Court, Ex parte Adimi* [2000] 3 W.L.R. 434, D.C.

R. v. Secretary of State for the Home Department, *Ex parte* Bello [1995] Imm.A.R. 537. **Considered,** *R. v. Secretary of State for the Home Department, Ex parte Yousaf* [2000] 3 All E.R. 649, C.A.

R. v. Secretary of State for the Home Department, *Ex parte* Bentley [1994] Q.B. 349; [1994] 2 W.L.R. 101; [1993] 4 All E.R. 442, D.C. **Considered,** *Lewis v. Attorney-General of Jamaica* [2000] 3 W.L.R. 1785, P.C.

R. v. Secretary of State for the Home Department, *Ex parte* Doody [1994] 1 A.C. 531, 563; [1993] 3 W.L.R. 154; [1993] 3 All E.R. 92, H.L.(E.). **Dictum of Lord Mustill applied,** *Lewis v. Attorney-General of Jamaica* [2000] 3 W.L.R. 1785, P.C.

R. v. Secretary of State for the Home Department, *Ex parte* Gilmore [1999] Q.B. 611; [1998] 2 W.L.R. 618; [1998] 1 All E.R. 264, D.C. **Distinguished,** *R. v. Secretary of State for the Home Department, Ex parte Norgren* [2000] Q.B. 817; [2000] 3 W.L.R. 181, D.C

R. v. Secretary of State for the Home Department, *Ex parte* Hargreaves [1997] 1 W.L.R. 906; [1997] 1 All E.R. 397, C.A. **Distinguished,** *R. v. North and East Devon Health Authority, Ex parte Coughlan* [2000] 2 W.L.R. 622, C.A.

R. v. Secretary of State for the Home Department, *Ex parte* Hindley [2000] Q.B. 152; [1999] 2 W.L.R. 1253, C.A. **Decision of the Court of Appeal affirmed** [2000] 2 W.L.R. 730, H.L.(E.)

R. v. Secretary of State for the Home Department, *Ex parte* Leech [1994] Q.B. 198; [1993] 3 W.L.R. 1125; [1993] 4 All E.R. 539, C.A. **Considered,** *General Mediterranean Holdings S.A. v. Patel* [2000] 1 W.L.R. 272

R. v. Secretary of State for the Home Department, *Ex parte* Probyn [1998] 1 W.L.R. 809; [1998] 1 All E.R. 357, C.A. **Considered,** *R. v. Lowe* [2000] 1 W.L.R. 153, C.A.

R. v. Secretary of State for the Home Department, *Ex parte* Simms [1999] 3 W.L.R. 328; [1999] 3 All E.R. 400, H.L.(E.). **Considered,** *General Mediterranean Holdings S.A. v. Patel* [2000] 1 W.L.R. 272

R. v. Secretary of State for the Home Department, *Ex parte* Sivakumaran [1988] A.C. 958; [1988] 2 W.L.R. 92; [1988] 1 All E.R. 193, H.L.(E.). **Applied,** *Horvath v. Secretary of State for the Home Department* [2000] 3 W.L.R. 379, H.L.(E.). **Considered,** *R. v. Uxbridge Magistrates' Court, Ex parte Adimi* [2000] 3 W.L.R. 434, D.C.; *Revenko v. Secretary of State for the Home Department* [2000] 3 W.L.R. 1519, C.A.

R. v. Secretary of State for Trade and Industry, *Ex parte* McCormick [1998] B.C.C. 379, C.A. **Considered,** *Official Receiver v. Stern* [2000] 1 W.L.R. 2230, Sir Richard Scott V.C. and C.A.

R. v. Secretary of State for Transport, *Ex parte* Factortame Ltd. (No. 2) (Case C-213/89) [1991] 1 A.C. 603; [1990] 3 W.L.R. 818; [1991] 1 All E.R. 70, E.C.J. and H.L.(E.). **Distinguished,** *R. v. Secretary of State for Health, Ex parte Imperial Tobacco Ltd.* [2000] 2 W.L.R. 834, C.A.

R. v. Sheffield Crown Court, *Ex parte* Headley [2000] 2 Cr.App.R. 1, D.C. **Considered,** *R. v. Worcester Crown Court, Ex parte Norman* [2000] 3 All E.R. 267; [2000] 2 Cr.App.R. 33, D.C.

R. v. Smith (Morgan) [1999] Q.B. 1079; [1999] 2 W.L.R. 610; [1998] 4 All E.R. 387, C.A. **Decision of the Court of Appeal (Criminal Division) affirmed** [2000] 3 W.L.R. 654, H.L.(E.)

R. v. Somerset County Council, *Ex parte* Fewings [1995] 1 W.L.R. 1037; [1995] 3 All E.R. 20; 93 L.G.R. 674, C.A. **Applied,** *R. v. Sefton Metropolitan Borough Council, Ex parte British Association of Shooting and Conservation Ltd.* [2000] L.G.R. 628

R. v. Southwark London Borough Council, *Ex parte* Anderson (unreported) 11 February 1999, Moses J. **Criticised,** *R. v. Newham London Borough Council, Ex parte Mashuda Begum* [2000] 2 All E.R. 72

R. v. Steward [1995] 1 Cr.App.R. 441; [1995] 3 All E.R. 159, C.A. **Applied,** *R. v. Gilmour* [2000] 2 Cr.App.R. 407, C.A.(N.I.)

R. v. Stone [1977] Q.B. 354; [1977] 2 W.L.R. 169; [1977] 2 All E.R. 341, C.A. **Applied,** *Attorney-General's Reference (No. 2 of 1999)* [2000] Q.B. 796; [2000] 3 W.L.R. 195, C.A.

R. v. Taylor (Robert) 80 Cr.App. R. 327, C.A. **Applied,** *R. v. Adkins* [2000] 2 All E.R. 185, C.A.

R. v. Taylor (Vincent) [1973] A.C. 964; [1973] 3 W.L.R. 140; [1973] 2 All E.R. 1108; 57 Cr.App.R. 915, H.L.(E.). **Considered,** *I. v. Director of Public Prosecutions* [2000] 1 Cr.App.R. 251, D.C.

R. v. Waite [1998] Crim.L.R. 68, C.A. **Considered,** *R. v. Nicholson (Andrew)* [2000] 1 Cr.App.R. 182, C.A.

R. v. Wells [1995] 2 Cr.App.R. 417, C.A. **Applied,** *R. v. Hemmings* [2000] 1 W.L.R. 661, C.A.

R. v. Wells Street Stipendiary Magistrate, *Ex parte* Deakin [1980] A.C. 477; [1979] 2 W.L.R. 665; [1979] 2 All E.R. 497; 69 Cr.App.R. 59, H.L.(E.). **Applied,** *Gleaves v. Insall* [1999] 2 Cr.App.R. 466, D.C.

R. v. Whitehead [1982] Q.B. 1272; [1982] 3 W.L.R. 543; [1982] 3 All E.R. 96; 75 Cr.App.R. 389, C.A. **Followed,** *R. v. Keyes* [2000] 2 Cr.App.R. 181, C.A.

R. v. Wiltshire County Council, *Ex parte* Nettlecombe Ltd. (1997) 96 L.G.R. 386. **Followed,** *Buckland v. Secretary of State for the Environment, Transport and the Regions* [2000] 1 W.L.R. 1949. **Not followed,** *Masters v. Secretary of State for the Environment* [2000] 2 All E.R. 788

R. v. Winchester Crown Court, *Ex parte* B. (A Minor) [1999] 1 W.L.R. 788; [1999] 4 All E.R. 53, D.C. **Not followed,** *R. v. Manchester Crown Court, Ex parte H. (A Minor)* [2000] 1 W.L.R. 760, D.C.

R. v. Worthing and District Justices, *Ex parte* Varley (Note) [1998] 1 W.L.R. 819, D.C. **Distinguished,** *R. v. Lowe* [2000] 1 W.L.R. 153, C.A.

Race Relations Board v. Applin [1975] A.C. 259; [1974] 2 W.L.R. 541; [1974] 2 All E.R. 73, H.L.(E.). **Considered,** *Conwell v. Newham London Borough Council* [2000] 1 W.L.R. 1; [2000] I.C.R. 42, E.A.T.

Radstock Co-operative and Industrial Society v. Norton-Radstock Urban District Council [1968] Ch. 605; [1968] 2 W.L.R. 1214; [1968] 2 All E.R. 59; 66 L.G.R. 457, C.A. **Applied,** *Bybrook Barn Garden Centre Ltd. v. Kent County Council* [2000] L.G.R. 302

Rae, *In re* [1995] B.C.C. 102. **Considered,** Haig v. Aitken [2000] 3 W.L.R. 1117

Raiffeisen Zentralbank Österreich A.G. v. Crossseas Shipping Ltd. [1999] 1 All E.R. (Comm.) 626. **Decision of Cresswell J. affirmed** [2000] 1 W.L.R. 1135, C.A.

Ramsay (W.T.) Ltd. v. Inland Revenue Comrs. [1982] A.C. 300, 323; [1981] 2 W.L.R. 449; [1981] 1 All E.R. 865; 54 T.C. 101, H.L.(E.). **Observations of Lord Wilberforce followed,** *Bibby v. Prudential Assurance Co. Ltd.* (2000) T.C. Leaflet No. 3610. **Considered,** *DTE Financial Services Ltd. v. Wilson* (1999) T.C. Leaflet No. 3597

Randall v. Plumb [1975] 1 W.L.R. 633; [1975] 1 All E.R. 734. **Distinguished,** *Garner v. Pounds Shipowners and Shipbreakers Ltd.* [2000] 1 W.L.R. 1107, H.L.(E.)

Randall v. Raper (1858) E.B. & E. 84. **Applied,** *Total Liban S.A. v. Vitol Energy S.A.* [2000] 3 W.L.R. 1142

Ransom v. Higgs [1974] 1 W.L.R. 1594; [1974] 3 All E.R. 949; 51 T.C. 1, H.L.(E.). **Considered,** *Clark v. Trustees of the British Telecom Pension Scheme* (2000) T.C. Leaflet No. 3604, C.A.

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Red Sea Insurance Co. Ltd. v. Bouygues S.A. [1995] 1 A.C. 190; [1994] 3 W.L.R. 926; [1994] 3 All E.R. 749, P.C. **Applied,** *Pearce v. Ove Arup Partnership Ltd.* [2000] Ch. 403; [2000] 3 W.L.R. 332, C.A.

Redgrave v. Hurd (1881) 20 Ch.D. 1, C.A. **Applied,** *Standard Chartered Bank v. Pakistan National Shipping Corpn. (No. 4)* [2000] 3 W.L.R. 1692, C.A.

Reichhold Norway A.S.A. v. Goldman Sachs International [1999] 1 All E.R. (Comm.) 40. **Decision of Moore-Bick J. affirmed** [2000] 1 W.L.R. 173, C.A.

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Reynolds v. Times Newspapers Ltd. [1999] 3 W.L.R. 1010; [1999] 4 All E.R. 609, H.L.(E.). **Considered,** *G.K.R. Karate (U.K.) Ltd. v. Yorkshire Post Newspapers Ltd.* [2000] 1 W.L.R. 2571, C.A.

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Rice v. Gordon (1843) 13 Sim. 580. **Not followed,** *Memory Corpn. Plc. v. Sidhu* [2000] Ch. 645; [2000] 2 W.L.R. 1106

Rich (Marc) & Co. Ltd. v. Tourloti Compania Naviera S.A. [1988] 2 Lloyd's Rep. 101, C.A. **Applied,** *Cero Navigation Corpn. v. Jean Lion & Cie* [2000] 1 Lloyd's Rep. 292

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Rose, *In re*; Rose v. Midland Bank Executor and Trustee Co. Ltd. v. Rose [1949] Ch. 78; [1948] 2 All E.R. 971. **Distinguished,** *Brown & Root Technology Ltd. v. Sun Alliance and London Assurance Co. Ltd.* [2000] 2 W.L.R. 566, C.A.

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Ryall v, Cubitt Heath [1922] 1 K.B. 275, D.C. **Distinguished,** *R. v. Special Comr. of Income Tax, Ex parte Inland Revenue Comrs.* (2000) T.C. Leaflet No. 3613

Rye (Dennis) Pension Fund (Trustees of the) v. Sheffield City Council [1998] 1 W.L.R. 840; [1997] 4 All E.R. 747, C.A. **Considered,** *Steed v. Secretary of State for the Home Department* [2000] 1 W.L.R. 1169, H.L.(E.)

S. (Adult Patient: Sterilisation), *In re* [2000] 1 F.L.R. 456. **Decision of Wall J. reversed** [2000] 3 W.L.R. 1288, C.A.

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Saint Anna, The [1983] 1 W.L.R. 895; [1983] 2 All E.R. 691. **Not followed,** *The Bumbesti* [2000] Q.B. 559; [2000] 2 W.L.R. 533

St. Helen's Smelting Co. v. Tipping (1865) 11 H.L.Cas. 642, H.L.(E.). **Applied,** *Wildtree Hotels Ltd. v. Harrow London Borough Council* [2000] 3 W.L.R. 165, H.L.(E.)

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Sambasivam v. Public Prosecutor, Federation of Malaya [1950] A.C. 458, P.C. **Considered,** *R. v. Z* [2000] 2 A.C. 483; [2000] 3 W.L.R. 117, H.L.(E.)

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Saunders v. Punch Ltd. [1998] 1 W.L.R. 986; [1998] 1 All E.R. 234. **Applied,** *John v. Express Newspapers* [2000] 1 W.L.R. 1931, C.A.

Saunders v. United Kingdom (1996) 23 E.H.R.R. 313. **Distinguished,** *R. v. Hertfordshire County Council, Ex parte Green Environmental Industries Ltd.* [2000] 2 W.L.R. 373, H.L.(E.)

Schapira v. Ahronson [1999] E.M.L.R. 735, C.A. **Considered,** *Berezovsky v. Michaels* [2000] 1 W.L.R. 1004, H.L.(E.)

Scherer v. Counting Instruments Ltd. (Note) [1986] 1 W.L.R. 615; [1986] 2 All E.R. 529, C.A. **Distinguished,** *Henry Boot Construction (U.K.) Ltd. v. Malmaison Hotel (Manchester) Ltd.* [2000] 3 W.L.R. 1824, C.A.

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Scott v. Scott [1913] A.C. 417, H.L.(E.). **Applied,** *Storer v. British Gas Plc.* [2000] 1 W.L.R. 1237; [2000] I.C.R. 603, C.A.

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Segers v. Bestuur van de Bedrijfsvereniging voor Bank- en Verzekeringswezen, Groothandel en Vrije Beroepen (Case 79/85) [1986] E.C.R. 2375, 2388, para. 16, E.C.J. **Dicta applied,** *Centros Ltd. v. Erhvervs- og Selskabsstyrelsen* (Case C-212/97) [2000] Ch. 446; [2000] 2 W.L.R. 1048, E.C.J.

Selkent Bus Co. Ltd. v. Moore [1996] I.C.R. 836, E.A.T. **Considered,** *Smith v. Zeneca (Agrochemicals) Ltd.* [2000] I.C.R. 800, E.A.T.

Sharma v. Knight [1986] 1 W.L.R. 757, C.A. **Considered,** *Gwynedd Council v. Grunshaw* [2000] 1 W.L.R. 494, C.A.

Sheffield Metropolitan District Council v. Siberry [1989] I.C.R. 208, E.A.T. **Not followed**, *Wood v. William Ball Ltd.* [2000] I.C.R. 277, E.A.T.

Shell Chemicals U.K. Ltd. v. P. & O. Road Tanks Ltd. [1993] 1 Lloyd's Rep. 114. **Considered,** *Gefco (U.K.) Ltd. v. Mason* [2000] 2 Lloyd's Rep. 555

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Silhouette International Schmied G.m.b.H. & Co. K.G. v. Hartlauer Handelsgesellschaft m.b.H. (Case C-355/96) [1999] Ch. 77; [1998] 3 W.L.R. 1218; [1998] E.C.R. I-4799, E.C.J. **Applied,** *Sebago Inc. v. GB-Unic S.A.* (Case C-173/98) [2000] Ch. 558; [2000] 2 W.L.R. 1341, E.C.J.

Sim v. Robinow (1892) 19 R. 665. **Applied,** *Lubbe v. Cape Plc.* [2000] 1 W.L.R 1545, H.L.(E.)

Siskina (Owners of cargo lately laden on board) v. Distos Compania Naviera S.A. [1979] A.C. 210; [1977] 3 W.L.R. 818; [1977] 3 All E.R. 803, H.L.(E.). **Considered,** *Broadmoor Special Hospital Authority v. Robinson* [2000] Q.B. 775; [2000] 1 W.L.R. 1590, C.A.

Sivand, The [1998] 2 Lloyd's Rep. 97, C.A. **Considered,** *Northern Shipping Co. v. Deutsche Seereederei Gm.b.H.* [2000] 2 Lloyd's Rep. 255, C.A.

Sivarajah v. General Medical Council [1964] 1 W.L.R. 112, 116–117; [1964] 1 All E.R. 504, P.C. **Dicta of Lord Guest applied,** *Nwabueze v. General Medical Council* [2000] 1 W.L.R. 1760, P.C.

Skinner & Co. v. Shew & Co. [1893] 1 Ch. 413, C.A. **Considered,** *Unilever Plc. v. The Procter & Gamble Co.* [2000] 1 W.L.R. 2436, C.A.

Slingsby v. District Bank Ltd. [1932] 1 K.B. 544, 559, C.A. **Dicta of Scrutton L.J. applied,** *Smith v. Lloyds TSB Group Plc.* [2000] 1 W.L.R. 1225. **Considered,** *Smith v. Lloyds TSB Group Plc.* [2000] 3 W.L.R. 1725, C.A.

Small v. Director of Public Prosecutions [1995] R.T.R. 95, D.C. **Considered,** *Laverick v. Director of Public Prosecutions* [1999] R.T.R. 417, D.C.

Smalley, *In re* [1985] A.C. 622; [1985] 2 W.L.R. 538; [1985] 1 All E.R. 769, H.L.(E.). **Considered,** *R. v. Maidstone Crown Court, Ex parte Harrow London Borough Council* [2000] Q.B. 719; [2000] 2 W.L.R. 237, D.C.

Smith, *In re;* Public Trustee v. Smith [1932] 1 Ch. 153, C.A. **Distinguished,** *Attorney-General of the Cayman Islands v. Wahr-Hansen* [2000] 3 W.L.R. 869, P.C.

Smith v. Gardner Merchant Ltd. [1999] I.C.R. 134; [1998] 3 All E.R. 852, C.A. **Applied,** *Pearce v. Governing Body of Mayfield Secondary School* [2000] I.C.R. 920, E.A.T.

Smith v. Lloyds TSB Group Plc. [2000] 1 W.L.R. 1225. **Decision of Blofeld J. affirmed** [2000] 3 W.L.R. 1725, C.A.

Smith New Court Securities Ltd. v. Scrimgeour Vickers (Asset Management) Ltd. [1997] A.C. 254; [1996] 3 W.L.R. 1051; [1996] 4 All E.R. 769, H.L.(E.). **Considered,** *Clef Aquitaine S.A.R.L. v. Laporte Materials (Barrow) Ltd.* [2000] 3 W.L.R. 1760, C.A.

Snelson v. Thompson [1985] R.T.R. 220, D.C. **Considered,** *Parish v. Director of Public Prosecutions* [2000] R.T.R. 143, D.C.

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Socony Mobil Oil Inc. v. West of England Shipowners Mutual Insurance Association (London) Ltd. [1991] 2 A.C. 1; [1990] 3 W.L.R. 78; [1990] 2 All E.R. 705; [1990] 2 Lloyd's Rep. 191, H.L.(E.). **Considered,** *Aluflet S.A. v. Vinave Empresa de Navegaçao Maritima Lda.* [2000] 1 Lloyd's Rep. 473

Sogbetun v. Hackney London Borough Council [1998] I.C.R. 1264, E.A.T. **Considered,** *Post Office v. Howell* [2000] I.C.R. 913, E.A.T.

Solar Thompson Engineering Co. Ltd. v. Barton [1977] R.P.C. 537, C.A. **Considered,** *United Wire Ltd. v. Screen Repair Services (Scotland) Ltd.* [2000] 4 All E.R. 353, H.L.(E).

Solle v. Butcher [1950] 1 K.B. 671; [1949] 2 All E.R. 1107, C.A. **Considered,** *Clarion Ltd. v. National Provident Institution* [2000] 1 W.L.R. 1888

South Carolina Insurance Co. v. Asurantie Maatschappij "De Zeven Provincien" N.V. [1987] A.C. 24; [1986] 3 W.L.R. 398; [1986] 3 All E.R. 487, H.L.(E.). **Considered,** *Broadmoor Special Hospital Authority v. Robinson* [2000] Q.B. 775; [2000] 1 W.L.R. 1590, C.A.

Southwark London Borough Council v. Ince (1989) 21 H.L.R. 504, D.C. **Distinguished.** *Haringey London Borough Council v. Jowett* [1999] L.G.R. 667, D.C.

Sparkes v. Smart [1990] 2 E.G.L.R. 245, C.A. **Overruled,** *Barrett v. Morgan* [2000] 2 A.C. 264; [2000] 2 W.L.R. 284, H.L.(E.)

Specialarbejderforbundet i Danmark v. Dansk Industri, acting for Royal Copenhagen A/S (Case C-400/93) [1995] E.C.R. I-1275, E.C.J. **Applied,** *Angestelltenbetriebsrat der Wiener Gebietskrankenkasse v. Wiener Gebietskrankenkasse* (Case C-309/97) [2000] I.C.R. 1134, E.C.J.

Spijkers v. Gebroeders Benedik Abattoir C.V. (Case C-24/85) [1986] E.C.R. 1119, E.C.J. **Applied,** *Allen v. Amalgamated Construction Co. Ltd.* (Case C-234/98) [2000] I.C.R. 436, E.C.J.

Spiliada Maritime Corpn. v. Cansulex Ltd. [1987] A.C. 460; [1986] 3 W.L.R. 972; [1986] 3 All E.R. 843, H.L.(E.). **Applied,** *Lubbe v. Cape Plc.* [2000] 1 W.L.R. 1545, H.L.(E.). **Considered,** *Berezovsky v. Michaels* [2000] 1 W.L.R. 1004, H.L.(E.)

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Staffordshire County Council v. Barber [1996] I.C.R. 379, C.A. **Applied,** *Kirklees Metropolitan Borough Council v. Farrell* [2000] I.C.R. 1335, E.A.T.

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Starsin, The [2000] 1 Lloyd's Rep. 85. **Followed,** *Alomport v. Southern Shipping Co. Ltd.* [2000] 2 Lloyd's Rep. 447

Stefan v. General Medical Council [1999] 1 W.L.R. 1293, P.C. **Distinguished,** *Dad v. General Dental Council* [2000] 1 W.L.R. 1538, P.C.

Sterling Homes v. Birmingham City Council [1996] Env.L.R. 121, D.C. **Considered,** *R. v. Falmouth and Truro Port Health Authority, Ex parte South West Water Ltd.* [2000] 3 W.L.R. 1464, C.A.

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Suffell v. Bank of England (1882) 9 Q.B.D. 555, C.A. **Considered,** *Raiffeisen Zentralbank Österreich A.G. v. Crossseas Shipping Ltd.* [2000] 1 W.L.R. 1135, C.A.

Sunrise Maritime Inc. v. Uvisco Ltd. [1998] 2 Lloyd's Rep. 287. **Not followed,** *Alimport v. Soubert Shipping Co. Ltd.* [2000] 2 Lloyd's Rep. 447

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Süzen v. Zehnacker Gebäudereinigung G.m.b.H. Krankenhausservice (Case C-13/95) [1997] I.C.R. 662; [1997] E.C.R. I-1259, E.C.J. **Applied,** *Allen v. Amalgamated Construction Co. Ltd.* (Case C-234/98) [2000] I.C.R. 436, E.C.J.

Swain v. The Law Society [1983] 1 A.C. 598; [1982] 3 W.L.R. 261; [1982] 2 All E.R. 827, H.L.(E.). **Applied,** *Mohamed v. Alaga & Co.* [2000] 1 W.L.R. 1815, C.A.; *Awwad v. Geraghty & Co.* [2000] 3 W.L.R. 1041, C.A.

Sweet v. Parsley [1970] A.C. 132, 163; [1969] 2 W.L.R. 470; [1969] 1 All E.R. 347, H.L.(E.). **Applied,** *Harrow London Borough Council v. Shah* [2000] 1 W.L.R. 83, D.C. **Dicta of Lord Diplock not applied,** *B. (A Minor) v. Director of Public Prosecutions* [2000] 2 A.C. 428; [2000] 2 W.L.R. 452, H.L.(E.)

Symons v. Lord Llewelyn-Davies Personal Representative (1982) 56 T.C. 630. **Distinguished,** *Tapemaze Ltd. v. Melluish* (2000) T.C. Leaflet No. 3602

T. (A Minor) (Wardship: Medical Treatment), *In re* [1997] 1 W.L.R. 242; [1997] 1 All E.R. 906, C.A. **Applied,** *In re C. (A Child) (H.I.V. Testing)* [2000] Fam. 48; [2000] 2 W.L.R. 270

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Tangiora v. Wellington District Legal Services Committee [1998] 1 N.Z.L.R. 129. **Decision of the Court of Appeal of New Zealand affirmed** [2000] 1 W.L.R. 240, P.C.

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Taylor v. Dickens [1989] 1 F.L.R. 806. **Disapproved,** *Gillett v. Holt* [2000] 3 W.L.R. 815, C.A.

Taylor v. Director of the Serious Fraud Office [1999] 2 A.C. 177; [1998] 3 W.L.R. 1040; [1998] 4 All E.R. 801, H.L.(E.). **Applied,** *Darker v. Chief Constable of the West Midlands Police* [2000] 3 W.L.R. 747, H.L.(E.); *Mahon v. Rahn (No. 2)* [2000] 1 W.L.R. 2150, C.A. **Considered,** *Woolgar v. Chief Constable of Sussex Police* [2000] 1 W.L.R. 25, C.A.

Taylor (J. N.) Finance Pty. Ltd., *In re* [1999] 2 B.C.L.C. 256. **Disapproved,** *England v. Smith* [2000] 2 W.L.R. 1141, C.A.

Teape v. Godfrey [1986] R.T.R. 213, D.C. **Applied,** *Director of Public Prosecutions v. Furby* [2000] R.T.R. 181, D.C.

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Tennant's Application, *In re* [1956] 1 W.L.R. 874; [1956] 2 All E.R. 753, C.A. **Considered,** *Krasner v. Dennison* [2000] 3 W.L.R. 720, C.A.

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Thomas v. Chief Adjudication Officer (Case C-328/91) [1993] Q.B. 747; [1993] 3 W.L.R. 581; [1993] I.C.R. 673; [1993] E.C.R. I-1247; [1993] 4 All E.R. 556, E.C.J. **Applied,** *R. v. Secretary of State for Social Security, Ex parte Taylor* (Case C-382/98) [2000] I.R.C. 843, E.C.J.

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Three Rivers District Council v. Governor and Company of the Bank of England (No. 3) [2000] 2 W.L.R. 15, C.A. **Decision of the Court of Appeal affirmed in part** [2000] 2 W.L.R. 1220, H.L.(E.)

Thrells v. Lomas [1993] 1 W.L.R. 456; [1993] 2 All E.R. 546. **Considered,** *National Grid Co. Plc. v. Mayes* [2000] I.C.R. 174, C.A.

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Turiddu, The [1998] 2 Lloyd's Rep. 278. **Decision of Rix J. affirmed** [2000] I.CR. 354, C.A.

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Tyburn Productions Ltd. v. Conan Doyle [1991] Ch. 75; [1990] 3 W.L.R. 167; [1990] 1 All E.R. 909. **Distinguished,** *Pearce v. Ove Arup Partnership Ltd.* [2000] Ch. 403; [2000] 3 W.L.R. 332, C.A.

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Wadey v. Surrey County Council [1999] 1 W.L.R. 1614; [1999] 2 All E.R. 334, C.A. **Decision of the Court of Appeal affirmed** [2000] 1 W.L.R. 820, H.L.(E. & Sc.)

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Whistler International Ltd. v. Kawasaki Kisen Kaisha Ltd. [2000] Q.B. 241; [1999] 3 W.L.R. 724; [1999] 4 All E.R. 199, C.A. **Decision of the Court of Appeal reversed** [2000] 3 W.L.R. 1954, H.L.(E.)

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Ziderman v. General Dental Council [1976] 1 W.L.R. 330, 333; [1976] 2 All E.R. 334, P.C. **Dicta of Lord Diplock applied,** *Dad v. General Dental Council* [2000] 1 W.L.R. 1538, P.C.

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STATUTES JUDICIALLY CONSIDERED

1706 **Union with Scotland Act** (6 Anne c. 11)
art. XXII: Lord Gray's Motion [2000] 2 W.L.R. 664, H.L.

1707 **Union with England Act** (Scot. c. 7)
art. XXII: Lord Gray's Motion [2000] 2 W.L.R. 664, H.L.

1824 **Vagrancy Act** (5 Geo. 4, c. 83)
s. 4: Talbot v. Director of Public Prosecutions [2000] 1 W.L.R. 1102, D.C.

1870 **Extradition Act** (33 & 34 Vict. c. 52)
s. 26, Sch. 1 (as amended): Reg. v. Secretary of State for the Home Department, *Ex parte* Norgren [2000] Q.B. 817; [2000] 3 W.L.R. 181, D.C.

1876 **Appellate Jurisdiction Act** (39 & 40 Vict. c. 59)
s. 3: Reg. v. Secretary of State for Trade and Industry, *Ex parte* Eastaway [2000] 1 W.L.R. 2222, H.L.(E.)

1881 **Summary Jurisdiction (Process) Act** (44 & 45 Vict. c. 24)
s. 4: Reg. v. Manchester Stipendiary Magistrate, *Ex parte* Granada Television Ltd. [2000] 2 W.L.R. 1, H.L.(E.)

1882 **Bills of Exchange Act** (45 & 46 Vict. c. 61)
s. 64(1): Smith v. Lloyds TSB Group Plc. [2000] 1 W.L.R. 1225; [2000] 3 W.L.R. 1725, C.A.

1890 **Partnership Act** (53 & 54 Vict. c. 39)
s. 1(1): Khan v. Miah [2000] 1 W.L.R. 2123, H.L.(E.)
s. 10: Dubai Aluminium Co. Ltd. v. Salaam [2000] 3 W.L.R. 910, C.A.
s. 44: Hurst v. Bryk [2000] 2 W.L.R. 740, H.L.(E.)

1906 **Prevention of Corruption Act** (6 Edw. 7, c. 34)
s. 1: Reg. v. Attorney-General, *Ex parte* Rockall [2000] 1 W.L.R. 882

1915 **Indictments Act** (5 & 6 Geo. 5, c. 90)
s. 5(1): Reg. v. Hemmings [2000] 1 W.L.R. 661, C.A.

1916 **Prevention of Corruption Act** (6 & 7 Geo. 5, c. 64)
s. 2: Reg. v. Attorney-General, *Ex parte* Rockall [2000] 1 W.L.R. 882

1925 **Administration of Estates Act** (15 & 16 Geo. 5, c. 23)
ss. 46(1)(i), 47 (as amended): *In re* D.W.S., decd. [2000] 3 W.L.R. 1910, Blackburne J. and C.A.

Land Registration Act (15 & 16 Geo. 5, c. 21)
ss. 19(2), 20(1), 50(1): Oceanic Village Ltd. v. United Attractions Ltd. [2000] Ch. 234; [2000] 2 W.L.R. 476
s. 22(1): Brown & Root Technology Ltd. v. Sun Alliance and London Assurance Co. Ltd. [2000] 2 W.L.R. 566, C.A.

1933 **Children and Young Persons Act** (23 & 24 Geo. 5, c. 12)
s. 39(as amended): Reg. v. Manchester Crown Court, *Ex parte* H. (A Minor) [2000] 1 W.L.R. 760, D.C.

1934 **Law Reform (Miscellaneous Provisions) Act** (24 & 25 Geo. 5, c. 41)
s. 1: Lewisham and Guys Mental Health N.H.S. Trust v. Andrews (decd.) [2000] I.C.R. 707, C.A.

1936 **Public Health Act** (26 Geo. 5 & 1 Edw. 8, c. 49)
s. 259(1)(*a*) (as amended): Reg. v. Falmouth and Truro Port Health Authority, *Ex parte* South West Water Ltd. [2000] 3 W.L.R. 1464, C.A.

1945 **Law Reform (Contributory Negligence) Act** (8 & 9 Geo. 6, c. 28)
ss. 1(1), 4: Standard Chartered Bank v. Pakistan National Shipping Corpn. (No. 4) [2000] 3 W.L.R. 1692, C.A.

1948 **National Assistance Act** (11 & 12 Geo. 6, c. 29)
s. 21(as amended): Reg. v. North and East Devon Health Authority, *Ex parte* Coughlan [2000] 2 W.L.R. 622, C.A.
Reg. v. Wandsworth London Borough Council, *Ex parte* O. [2000] 1 W.L.R. 2539, C.A.
ss. 21, 22 (as amended): Reg. v. Richmond upon Thames London Borough Council, *Ex parte* Watson [2000] 3 W.L.R. 1127, C.A.

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s. 7(1): W.A. Armstrong & Sons Ltd. v. Borrill [2000] I.C.R. 367, E.A.T.

1950 **Arbitration Act** (14 Geo. 6, c. 27)
ss. 22, 23: Danae Air Transport S.A. v. Air Canada [2000] 1 W.L.R. 395, C.A.

1954 **Landlord and Tenant Act** (2 & 3 Eliz. 2, c. 56)
ss. 30(1)(*g*)(2), 42(3)(*b*) (as substituted): V.C.S. Car Park Management Ltd. v. Regional Railways North East Ltd. [2000] 3 W.L.R. 370, C.A.
s. 34(2) (as amended): Durley House Ltd. v. Cadogan [2000] 1 W.L.R. 246
s. 38(4) (as amended): Receiver for the Metropolitan Police District v. Palacegate Properties Ltd. [2000] 3 W.L.R. 519, C.A.

1956 **Sexual Offences Act** (4 & 5 Eliz. 2, c. 69)
s. 1 (as substituted): Reg. v. Wood (Stephen) [2000] 1 W.L.R. 1687, C.A.

1957 **Homicide Act** (5 & 6 Eliz. 2, c. 11)
s. 2: Reg. v. Antoine [2000] 2 W.L.R. 703, H.L.(E.)
s. 3: Reg. v. Smith (Morgan) [2000] 3 W.L.R. 654, H.L.(E.)
Occupiers' Liability Act (5 & 6 Eliz. 2, c. 31)
s. 2(2)(3)(*a*): Jolley v. Sutton London Borough Council [2000] 1 W.L.R. 1082, H.L.(E.)

1960 **Indecency with Children Act** (8 & 9 Eliz. 2, c. 33)
s. 1(1): B. (A Minor) v. Director of Public Prosecutions [2000] 2 A.C. 428; [2000] 2 W.L.R. 452, H.L.(E.)

1961 **Carriage by Air Act** (9 & 10 Eliz. 2, c. 27)
Sch. 1, arts. 18, 26(2): Western Digital Corpn. v. British Airways Plc. [2000] 3 W.L.R. 1855, C.A.
Land Compensation Act (9 & 10 Eliz. 2, c. 33)
s. 17(4) (as amended): Fletcher Estates (Harlescott) Ltd. v. Secretary of State for the Environment [2000] 2 A.C. 307; [2000] 2 W.L.R. 435, H.L.(E.)

1964 **Criminal Procedure (Insanity) Act** (c. 84)
ss. 4, 4A (as substituted): Reg. v. Antoine [2000] 2 W.L.R. 703, H.L.(E.)
s. 5: Reg. v. Maidstone Crown Court, *Ex parte* Harrow London Borough Council [2000] Q.B. 719; [2000] 2 W.L.R. 237, D.C.

1965 **Compulsory Purchase Act** (c. 56)
s. 10: Wildtree Hotels Ltd. v. Harrow London Borough Council [2000] 3 W.L.R. 165, H.L.(E.)
Murder (Abolition of Death Penalty) Act (c. 71)
s. 1(1): Reg. v. Secretary of State for the Home Department, *Ex parte* Hindley [2000] 2 W.L.R. 730, H.L.(E.)

1967 **Misrepresentation Act** (c. 7)
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Criminal Law Act (c. 58)
s. 6(3): Reg. v. Fennell [2000] 1 W.L.R. 2011, C.A.
Criminal Justice Act (c. 80)
s. 67(1A)(*c*) (as inserted and amended): Reg. v. Secretary of State for the Home Department, *Ex parte* A. [2000] 2 A.C. 276; [2000] 2 W.L.R. 293, H.L.(E.)

1968 **Criminal Appeal Act** (c. 19)
ss. 7(1)(2), 8(1) (as amended): Reg. v. Hemmings [2000] 1 W.L.R. 661, C.A.
s. 31(1)(2)(3) (as amended): Reg. v. Dixon [2000] 1 W.L.R. 782, C.A.
Firearms Act (c. 27)
s. 2: Reg. v. Chelmsford Crown Court, *Ex parte* Farrer [2000] 1 W.L.R. 1468, C.A.
s. 17(2): Reg. v. Nelson [2000] 3 W.L.R. 300, C.A.
Theft Act (c. 60)
ss. 1(1), 3(1): Reg. v. Hinks [2000] 3 W.L.R. 1590, H.L.(E.)

1969 **Family Law Reform Act** (c. 46)
ss. 20(1), 21(1)(3): *In re* O. (A Minor) (Blood Tests: Constraint) [2000] Fam. 139; [2000] 2 W.L.R. 1284

1970 **Taxes Management Act** (c. 9)
s. 20C(1)(3)(4) (as inserted and amended): Reg. v. Middlesex Guildhall Crown Court, *Ex parte* Tamosius & Partners [2000] 1 W.L.R. 453, D.C.
Equal Pay Act (c. 41)
s. 1(1): Kirklees Metropolitan Borough Council v. Farrell [2000] I.C.R. 1335, E.A.T.
s. 1(1)(2) (as amended): Alabaster v. Woolwich Plc. [2000] I.C.R. 1037, E.A.T.
s. 1(2)(*c*) (as amended): Enderby v. Frenchay Health Authority (No. 2) [2000] I.C.R. 612, E.A.T. and C.A.
ss. 1(2)(*c*), 2A(1) (as inserted and amended): Wood v. William Ball Ltd. [2000] I.C.R. 277, E.A.T.
s. 1(3) (as substituted): Glasgow City Council v. Marshall [2000] 1 W.L.R. 333; [2000] I.C.R. 196, H.L.(Sc.)
s. 2(4) (as amended): Young v. National Power Plc. [2000] I.C.R. 78, E.A.T.
s. 2(4)(5) (as amended): Preston v. Wolverhampton Healthcare N.H.S. Trust (Case C 78/98) [2000] I.C.R. 961, E.C.J.
s. 2(5) (as amended): Levez v. T. H. Jennings (Harlow Pools) Ltd. [2000] I.C.R. 58, E.A.T.

1971 **Pensions (Increase) Act** (c. 56)
ss. 1(2) (as applied): Department of Health v. Pensions Ombudsman [2000] 1 W.L.R. 561, C.A.
Immigration Act (c. 77)
ss. 3(5)(*b*), 15(3) (as amended): Secretary of State for the Home Department v. Rehman [2000] 3 W.L.R. 1240, C.A.
ss. 3(9), 13(3), 33(1) (as amended): Akewushola v. Secretary of State for the Home Department [2000] 1 W.L.R. 2295, C.A.
s. 25(1) (as amended): Reg. v. Eyck [2000] 1 W.L.R. 1389, C.A.

1972 **Local Government Act** (c. 70)
s. 111(1): Reg. v. Director of Public Prosecutions, *Ex parte* Duckenfield [2000] 1 W.L.R. 55, D.C.

1973 **Matrimonial Causes Act** (c. 18)
s. 9(2): Dennis v. Dennis [2000] Fam. 163; [2000] 3 W.L.R. 1443
s. 25 (as substituted): White v. White [2000] 3 W.L.R. 1571, H.L.(E.)
ss. 28(1A), 31(1) (as inserted and amended): Jones v. Jones [2000] 3 W.L.R. 1505, C.A.

1974 **Health and Safety at Work etc. Act** (c. 37)
s. 53(1): Costain Building & Civil Engineering Ltd. v. Smith [2000] I.C.R. 215, E.A.T.
Consumer Credit Act (c. 39)
ss. 8(1)(2), 9, 189: Dimond v. Lovell [2000] 2 W.L.R. 1121, H.L.(E.)
ss. 8(2)(3), 16(5): Zoan v. Rouamba [2000] 1 W.L.R. 1509, C.A.
Solicitors Act (c. 47)
s. 31: Mohamed v. Alaga & Co. [2000] 1 W.L.R. 1815, C.A.
s. 31: Awwad v. Geraghty & Co. [2000] 3 W.L.R. 1041, C.A.
s. 34: Law Society v. KPMG Peat Marwick [2000] 1 W.L.R. 1921, C.A.
s. 70(2)(4): Turner & Co. v. O. Palomo S.A. [2000] 1 W.L.R. 37, C.A.

1975 **Inheritance (Provision for Family and Dependants) Act** (c. 63)
ss. 1(1)(*e*)(3), 3(4): *In re* B., decd. [2000] Ch. 662; [2000] 2 W.L.R. 929, C.A.
Sex Discrimination Act (c. 65)
ss. 1(1), 6(2): Pearce v. Governing Body of Mayfield Secondary School [2000] I.C.R. 920, E.A.T.
ss. 1(1)(*a*), 6(2)(*b*): Coyne v. Home Office [2000] I.C.R. 1443, C.A.
ss. 6(2), 41(1)(3): Smith v. Zeneca (Agrochemicals) Ltd. [2000] I.C.R. 800, E.A.T.
ss. 22, 66 (as amended): Reg. v. South Bank University, *Ex parte* Coggeran [2000] I.C.R. 1342, C.A.
s. 77(4)(*aa*) (as inserted): Kirklees Metropolitan Borough Council v. Farrell [2000] I.C.R. 1335, E.A.T.
s. 85(4) (as substituted): Sirdar v. Army Board (Case C-273/97) [2000] I.C.R. 130, E.C.J.

1976 **Fatal Accidents Act** (c. 30)
s. 3(1) (as substituted): Cox v. Hockenhull [2000] 1 W.L.R. 750, C.A.
Dangerous Wild Animals Act (c. 38)
ss. 1, 5, 7(4) (as amended): South Kesteven District Council v. Mackie [2000] 1 W.L.R. 1461, C.A.
Race Relations Act (c. 74)
s. 2(1): Lindsay v. Alliance & Leicester Plc. [2000] I.C.R. 1234, E.A.T.
s. 2(1)(*a*): Chief Constable of West Yorkshire Police v. Khan [2000] I.C.R. 1169, C.A.
ss. 2(1)(*d*), 20(1), 23(2): Conwell v. Newham London Borough Council [2000] 1 W.L.R. 1; [2000] I.C.R. 42, E.A.T.
ss. 12, 78(1): Sawyer v. Ahsan [2000] I.C.R. 1, E.A.T.
s. 33(1): Anyanwu v. South Bank Students' Union [2000] I.C.R. 221, C.A.
s. 33(1): Hallam v. Avery [2000] 1 W.L.R. 966; [2000] I.C.R. 583, C.A.
s. 41(1): Nabadda v. Westminster City Council [2000] I.C.R. 951, C.A.
s. 56(1): Gbaja-Biamila v. DHL International (UK) Ltd. [2000] I.C.R. 730, E.A.T.

1977 **Patents Act** (c. 37)
s. 70: Unilever Plc. v. The Procter & Gamble Co. [2000] 1 W.L.R. 2436, C.A.
Rent Act (c. 42)
s. 3(1), Sch. 15, Case 1: Cadogan Estates Ltd. v. McMahon [2000] 3 W.L.R. 1555, H.L.(E.)
s. 63(1)(2)(3): Johnson v. Ryan [2000] I.C.R. 236, E.A.T.
Criminal Law Act (c. 45)
s. 1(1) (as substituted): Reg. v. Attorney-General, *Ex parte* Rockall [2000] 1 W.L.R. 882
National Health Service Act (c. 49)
ss. 1, 3: Reg. v. North and East Devon Health Authority, *Ex parte* Coughlan [2000] 2 W.L.R. 622, C.A.
ss. 1(1), 3: Reg. v. North West Lancashire Health Authority, *Ex parte* A. [2000] 1 W.L.R. 977, C.A.

1977 **Unfair Contract Terms Act** (c. 50)
s. 3, Sch. 1, para. 1(*b*): Unchained Growth III Plc. v. Granby Village (Manchester) Management Co. Ltd. [2000] 1 W.L.R. 739, C.A.

1978 **Interpretation Act** (c. 30)
Sch. 1 (as amended): Reg. v. Fennell [2000] 1 W.L.R. 2011, C.A.
State Immunity Act (c. 33)
ss. 1(1), 16(2): Holland v. Lampen-Wolfe [2000] 1 W.L.R. 1573, H.L.(E.)
Protection of Children Act (c. 37)
ss. 1, 7 (as amended): Reg. v. Bowden (Jonathan) [2000] 2 W.L.R. 1083, C.A.
ss. 1(1)(*a*)(4)(*a*), 7(7) (as amended and inserted): Atkins v. Director of Public Prosecutions [2000] 1 W.L.R. 1427, D.C.
Employment Protection (Consolidation) Act (c. 44)
s. 64(1)(*a*) (as amended): Reg. v. Secretary of State for Employment, *Ex parte* Seymour-Smith (No. 2) [2000] 1 W.L.R. 435; [2000] I.C.R. 244, H.L.(E.)
Civil Liability (Contribution) Act (c. 47)
s. 1(1): Rahman v. Arearose Ltd. [2000] 3 W.L.R. 1184, C.A.
s. 2: Andrews v. Initial Cleaning Services Ltd. [2000] I.C.R. 166, C.A.

1979 **Capital Gains Tax Act** (c. 14)
s. 32(1)(*a*)(*b*): Garner v. Pounds Shipowners and Shipbreakers Ltd. [2000] 1 W.L.R. 1107, H.L.(E.)
Sale of Goods Act (c. 54)
ss. 24, 25: Michael Gerson (Leasing) Ltd. v. Wilkinson [2000] 3 W.L.R. 1645, C.A.

1980 **Magistrates' Courts Act** (c. 43)
s. 22, Sch. 2: Reg. v. Fennell [2000] 1 W.L.R. 2011, C.A.
Limitation Act (c. 58)
ss. 5, 36(1)(*b*): Coulthard v. Disco Mix Club Ltd. [2000] 1 W.L.R. 707
ss. 15(1), 38, Sch. 1, paras. 1, 8: J. A. Pye (Oxford) Ltd. v. Graham [2000] 3 W.L.R. 242
Highways Act (c. 66)
s. 41(1): Goodes v. East Sussex County Council [2000] 1 W.L.R. 1356, H.L.(E.)

1981 **Contempt of Court Act** (c. 49)
s. 10: John v. Express Newspapers [2000] 1 W.L.R. 1931, C.A.
Supreme Court Act (c. 54)
s. 18(1)(*g*) (as amended): Inco Europe Ltd. v. First Choice Distribution [2000] 1 W.L.R. 586, H.L.(E.)
s. 20(2)(*h*): The Bumbesti [2000] Q.B. 559; [2000] 2 W.L.R. 533
s. 29(3): Reg. v. Maidstone Crown Court, *Ex parte* Harrow London Borough Council [2000] Q.B. 719; [2000] 2 W.L.R. 237, D.C.
s. 29(3): Reg. v. Manchester Crown Court, *Ex parte* H. (A Minor) [2000] 1 W.L.R. 760, D.C.
ss. 33(2), 35(5): Phelps v. Hillingdon London Borough Council [2000] 3 W.L.R. 776, H.L.(E.)
s. 42(1A) (as inserted): Johnson v. Valks [2000] 1 W.L.R. 1502, C.A.
s. 51 (as substituted): National Justice Compania Naviera S.A. v. Prudential Assurance Co. Ltd. (No. 2) [2000] 1 W.L.R. 603, C.A.
s. 51(6)(7) (as substituted): *In re* G. (Minors) (Care Proceedings: Wasted Costs) [2000] Fam. 104; [2000] 2 W.L.R. 1007
s. 75(1)(2): Practice Direction (Crown Court: Allocation of Business) (No. 3) [2000] 1 W.L.R. 203
s. 84(1): Reg. v. Dixon [2000] 1 W.L.R. 782, C.A.
Betting and Gaming Duties Act (c. 63)
s. 9: Victor Chandler International Ltd. v. Customs and Excise Comrs. [2000] 1 W.L.R. 1296, C.A.
Wildlife and Countryside Act (c. 69)
s. 66(1): Buckland v. Secretary of State for the Environment, Transport and the Regions [2000] 1 W.L.R. 1949
s. 66(1): Masters v. Secretary of State for the Environment, Transport and the Regions [2000] 3 W.L.R. 1894, C.A.

1982 **Civil Jurisdiction and Judgments Act** (c. 27)
Sch. 1 (as substituted), arts. 2, 6(2): National Justice Compania Naviera S.A. v. Prudential Assurance Co. Ltd. (No. 2) [2000] 1 W.L.R. 603, C.A.
Sch. 1 (as substituted), art. 6(1): Pearce v. Ove Arup Partnership Ltd. [2000] Ch. 403; [2000] 3 W.L.R. 332, C.A.
Sch. 1 (as substituted), art. 21: Molins Plc. v. G.D. S.p.A. [2000] 1 W.L.R. 1741, C.A.
Sch. 1 (as substituted), art. 1: Reg. v. Harrow Crown Court, *Ex parte* UNIC Centre S.A.R.L. [2000] 1 W.L.R. 2112
Sch. 3C (as inserted), art. 1(2): UBS A.G. v. Omni Holding A.G. [2000] 1 W.L.R. 916
Sch. 3C (as inserted), arts. 5(1), 7: Agnew v. Länsförsäkringsbolagens A.B. [2000] 2 W.L.R. 497, H.L.(E.)
Sch. 3C (as inserted), art. 6: Canada Trust Co. v. Stolzenberg (No. 2) [2000] 3 W.L.R. 1376, H.L.(E.)

1982 **Criminal Justice Act** (c. 48)
s. 1B (as inserted and amended): Reg. v. F. [2000] 1 W.L.R. 266, C.A.

1983 **Mental Health Act** (c. 20)
ss. 72, 73: Reg. v. Mental Health Review Tribunal, *Ex parte* Hall [2000] 1 W.L.R. 1323, Scott Baker J. and C.A.
s. 117 (as amended): Reg. v. Richmond upon Thames London Borough Council, *Ex parte* Watson [2000] 3 W.L.R. 1127, C.A.
s. 134: Broadmoor Special Hospital Authority v. Robinson [2000] Q.B. 775; [2000] 1 W.L.R. 1590, C.A.

Medical Act (c. 54)
Sch. 4, para. 7(4)(*a*): Nwabueze v. General Medical Council [2000] 1 W.L.R. 1760, P.C.

1984 **Dentists Act** (c. 24)
s. 27(1)(*a*): Dad v. General Dental Council [2000] 1 W.L.R. 1538, P.C.

County Courts Act (c. 28)
s. 77: *In re* B. (A Minor) (Split Hearings: Jurisdiction) [2000] 1 W.L.R. 790, C.A.
ss. 92(1), 101: Newman v. Modern Bookbinders Ltd. [2000] 1 W.L.R. 2559, C.A.
s. 138 (as amended): Croydon (Unique) Ltd. v. Wright (Crombie Intervening) [2000] 2 W.L.R. 683, C.A.
s. 138(1): Artesian Residential Developments Ltd. v. Beck [2000] Q.B. 541; [2000] 2 W.L.R. 357, C.A.

Child Abduction Act (c. 37)
ss. 2(1)(*b*), 3 (as amended): Reg. v. A. [2000] 1 W.L.R. 1879, C.A.

Matrimonial and Family Proceedings Act (c. 42)
s. 13(1): Jordan v. Jordan [2000] 1 W.L.R. 210, C.A.

Repatriation of Prisoners Act (c. 47)
s. 3(3)(*b*), Sch., para. 2 (as amended): Reg. v. Secretary of State for the Home Department, *Ex parte* Oshin [2000] 1 W.L.R. 2311, D.C.

Police and Criminal Evidence Act (c. 60)
s. 8(1): Reg. v. Chesterfield Justices, *Ex parte* Bramley [2000] Q.B. 576; [2000] 2 W.L.R. 409, D.C.
s. 9, Sch. 1: Reg. v. Manchester Stipendiary Magistrate, *Ex parte* Granada Television Ltd. [2000] 2 W.L.R. 1, H.L.(E.)
ss. 18, 19: Cowan v. Condon [2000] 1 W.L.R. 254, C.A.
s. 64(3B)(*b*) (as amended): Attorney-General's Reference (No. 3 of 1999) [2000] 3 W.L.R. 1164, C.A.
s. 78: Reg. v. Kirk [2000] 1 W.L.R. 567, C.A.
s. 78(1): Nottingham City Council v. Amin [2000] 1 W.L.R. 1071, D.C.

1985 **Companies Act** (c. 6)
s. 359(1)(3): *In re* Hoicrest Ltd. [2000] 1 W.L.R. 414, C.A.

Prosecution of Offences Act (c. 23)
ss. 3(2)(*b*), 6(1)(2), 23(3): Reg. v. Director of Public Prosecutions, *Ex parte* Duckenfield [2000] 1 W.L.R. 55, D.C.
s. 19: Customs and Excise Comrs. v. City of London Magistrates' Court [2000] 1 W.L.R. 2020, D.C.

1985 **Enduring Powers of Attorney Act** (c. 29)
s. 6(5)(*b*)(*e*): *In re* E. (Enduring Power of Attorney) [2000] 3 W.L.R. 1974
s. 6(5)(*a*)(*e*): *In re* W (Enduring Power of Attorney) [2000] Ch. 372; [2000] 3 W.L.R. 45

Interception of Communications Act (c. 56)
ss. 1(1), 9(1): Morgans v. Director of Public Prosecutions [2000] 2 W.L.R. 386, H.L.(E.)

Child Abduction and Custody Act (c. 60)
Sch. 1, arts. 3, 5, 8: *In re* H. (A Minor) (Abduction: Rights of Custody) [2000] 2 A.C. 291; [2000] 2 W.L.R. 337, H.L.(E.)

Housing Act (c. 68)
s. 91(1): Burton v. Camden London Borough Council [2000] 2 A.C. 399; [2000] 2 W.L.R. 427, H.L.(E.)

Landlord and Tenant Act (c. 70)
s. 31: Reg. v. Secretary of State for the Environment, Transport and the Regions, *Ex parte* Spath Holme Ltd. [2000] 3 W.L.R. 141, C.A.

1986 **Agricultural Holdings Act** (c. 5)
s. 26(1): Barrett v. Morgan [2000] 1 W.L.R. 284, H.L.(E.)

Drug Trafficking Offences Act (c. 32)
s. 11(8): *In re* Norris [2000] 1 W.L.R. 1094, C.A.

Insolvency Act (c. 45)
ss. 10, 11: *In re* Rhondda Waste Disposal Ltd. [2000] 3 W.L.R. 1304, C.A.
ss. 14, 17(2)(*a*): *In re* T. & D. Industries Plc. [2000] 1 W.L.R. 646
ss. 18, 86: *In re* Norditrack (U.K.) Ltd. [2000] 1 W.L.R. 343

1986 **Insolvency Act** (c. 45)—*continued*
s. 19(6)(7)(9) (as inserted): *In re* A Company (No. 005174 of 1999) [2000] 1 W.L.R. 502; [2000] I.C.R. 263
s. 127: Hollicourt (Contracts) Ltd. v. Bank of Ireland [2000] 1 W.L.R. 895
s. 127: Coutts & Co. v. Stock [2000] 1 W.L.R. 906
s. 156: *In re* Grey Marlin Ltd. [2000] 1 W.L.R. 370
ss. 178, 436: *In re* Celtic Extraction Ltd. [2000] 2 W.L.R. 991, C.A.
s. 235: Official Receiver v. Stern [2000] 1 W.L.R. 2230, Sir Richard Scott V.-C. and C.A.
ss. 236, 426(4)(5): England v. Smith [2000] 2 W.L.R. 1141, C.A.
ss. 271(1)(3), 284(1): Smith (A Bankrupt) v. Ian Simpson & Co. [2000] 3 W.L.R. 495, C.A.
ss. 283, 306, 436: Ord v. Upton [2000] Ch. 352; [2000] 2 W.L.R. 755, C.A.
ss. 283(1), 306, 310 (as amended): Krasner v. Dennison [2000] 3 W.L.R. 720, C.A.
ss. 306, 311(1): Haig v. Aitken [2000] 3 W.L.R. 1117
s. 362(1)(*a*): Reg. v. P. (A Bankrupt) [2000] 1 W.L.R. 1568, C.A
Company Directors Disqualification Act (c. 46)
ss. 6, 22(4)(5): Secretary of State for Trade and Industry v. Deverell [2000] 2 W.L.R. 907, C.A.
s. 6(1): Official Receiver v. Stern [2000] 1 W.L.R. 2230, Sir Richard Scott V.-C. and C.A.
s. 17: *In re* Barings Plc. (No. 3) [2000] 1 W.L.R. 634
Financial Services Act (c. 60)
s. 47A (as inserted): Clarion Ltd. v. National Provident Institution [2000] 1 W.L.R. 1888
1987 **Banking Act** (c. 22)
ss. 41(1), 82: Barings Plc. v. Coopers & Lybrand [2000] 1 W.L.R. 2353, C.A.
1988 **Income and Corporation Taxes Act** (c. 1)
ss. 12(2)(*a*), 239(3), 832(1): Walker v. Centaur Clothes Group Ltd. [2000] 2 W.L.R. 799, H.L.(E.)
s. 19(1): E.M.I. Group Electronics Ltd. v. Coldicott [2000] 1 W.L.R. 540, C.A.
ss. 19(1), 145(1)(8), 154(1), 167(1)(*a*), 168(2)(8), 739(2), 831(1): Reg. v. Dimsey [2000] Q.B. 744; [2000] 3 W.L.R. 273, C.A.
Criminal Justice Act (c. 33)
s. 40: Reg. v. Fennell [2000] 1 W.L.R. 2011, C.A.
s. 160 (as amended): Reg. v. Bowden (Jonathan) [2000] 2 W.L.R. 1083, C.A.
s. 160(1)(2)(*a*) (as amended): Atkins v. Director of Public Prosecutions [2000] 1 W.L.R. 1427, D.C.
Legal Aid Act (c. 34)
ss. 2, 17, 18 (as amended): Burridge v. Stafford [2000] 1 W.L.R. 927, C.A.
s. 15: Reg. v. Legal Aid Board, *Ex parte* W. (Minors) [2000] 1 W.L.R. 2502, C.A.
s. 16(6)(7): Morgan v. Legal Aid Board [2000] 1 W.L.R. 1657
s. 25: Goulden v. Wilson Barca [2000] 1 W.L.R. 167, C.A.
s. 29: Newman v. Modern Bookbinders Ltd. [2000] 1 W.L.R. 2559, C.A.
Copyright, Designs and Patents Act (c. 48)
ss. 1(1)(*c*), 8(1), 16(3)(*a*), 30(2): Newspaper Licensing Agency Ltd. v. Marks and Spencer Plc. [2000] 3 W.L.R. 1256, C.A.
s. 16(3): Designers Guild Ltd. v. Russell Williams (Textiles) Ltd. (trading as Washington D.C.) [2000] 1 W.L.R. 2416, H.L.(E.)
ss. 30(2), 171(3): Hyde Park Residence Ltd. v. Yelland [2000] 3 W.L.R. 215, C.A.
Housing Act (c. 50)
s. 1(1): Chelsea Yacht and Boat Co. Ltd. v. Pope [2000] 1 W.L.R. 1941, C.A.
ss. 5(1), 7(6), 45(4): Artesian Residential Developments Ltd. v. Beck [2000] Q.B. 541; [2000] 2 W.L.R. 357, C.A.
1989 **Extradition Act** (c. 33)
s. 1(3), Sch. 1, paras. 4(2), 20: Reg. v. Secretary of State for the Home Department, *Ex parte* Norgren [2000] Q.B. 817; [2000] 3 W.L.R. 181, D.C.
Children Act (c. 41)
s. 1(1)(5): *In re* C. (A Child) (H.I.V. Testing) [2000] Fam. 48; [2000] 2 W.L.R. 270
ss. 3(1), 4, 33(3): *In re* X (Minors) (Care Proceedings: Parental Responsibility) [2000] Fam. 156; [2000] 2 W.L.R. 1031
ss. 22, 23(1): Conwell v. Newham London Borough Council [2000] 1 W.L.R. 1; [2000] I.C.R. 42, E.A.T.
s. 31(2)(*b*)(i): Lancashire County Council v. B. [2000] 2 A.C. 147; [2000] 2 W.L.R. 346, C.A.; [2000] 2 A.C. 147; [2000] 2 W.L.R. 590, H.L.(E.)
ss. 31(8), 105(6): Northamptonshire County Council v. Islington London Borough Council [2000] 2 W.L.R. 193, C.A.
s. 34: *In re* W. (A Child) (Parental Contact: Prohibition) [2000] Fam. 130; [2000] 2 W.L.R. 1276, C.A.
ss. 34(4), 41: Reg. v. Legal Aid Board, *Ex parte* W. (Minors) [2000] 1 W.L.R. 2502, C.A.

1990 **Town and Country Planning Act** (c. 8)
s. 288(5)(*b*): Berkeley v. Secretary of State for the Environment [2000] 3 W.L.R. 420, H.L.(E.)
Planning (Listed Buildings and Conservation Areas) Act (c. 9)
s. 1(5)(*b*): Skerritts of Nottingham Ltd. v. Secretary of State for the Environment, Transport and the Regions [2000] 3 W.L.R. 511, C.A.
Environmental Protection Act (c. 43)
s. 35(11): *In re* Celtic Extraction Ltd. [2000] 2 W.L.R. 991, C.A.
s. 71(2): Reg. v. Hertfordshire County Council, *Ex parte* Green Environmental Industries Ltd. [2000] 2 A.C. 412; [2000] 2 W.L.R. 373, H.L.(E.)
s. 79(1)(*a*): Birmingham City Council v. Oakley [2000] 3 W.L.R. 1936, H.L.(E)
s. 80(2): Camden London Borough Council v. Gunby [2000] 1 W.L.R. 465, D.C.
1991 **Planning and Compensation Act** (c. 34)
s. 22, Sch. 2, para. 2(6)(*b*): Reg. v. Durham County Council, *Ex parte* Huddleston [2000] 1 W.L.R. 1484, C.A.
Criminal Justice Act (c. 53)
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